

ARTICLE

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NEW YORK, WEDNESDAY, JUNE 4, 1941

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BACK-TO-THE-B.O. DRIVE

Drama Critics' Boxscore

Season of 1940-41
(June 1, 1940-May 31, 1941)

Key to abbreviations: SB (shows reviewed), R (right), W (wrong), O (no opinion on opinion expressed), Pct. (percentage).

SB	R	W	O	Pct.
WATTS (Herald Tribune)	60	97	3	0.950
KRONENBERGER (PM)	59	95	3	0.932
COLEMAN (Mirror)	50	85	0	0.900
LOCKRIDGE (Sun)	59	82	3	0.881
ATKINSON (Times)	59	81	7	0.846
WITFPLE (World-Telegram)	66	48	8	0.837
ANDERSON (Journal-American)	82	44	8	0.844
BROWN (Post)	51	43	8	0.843
MAVLE (News)	59	46	13	0.780
VARIETY (combined)	61	87	4	0.894

(Score based on 61 new shows)

Watts Tops N.Y. Critics in Variety's Boxscore; Kronenberg, Coleman 2-3

Richard Watts, Jr., tagged home plain the winner in VARIETY'S 1940-41 boxscore of how accurately the New York critics culled "success" or "top" on the season's Broadway legit entries. The Herald Tribune's reformed film seer at the same time hung up a couple of other records. He's the initial HIT drama critic to get the nod from VARIETY's mathematician and, at the same time, is credited with the highest percentage any reviewer has chalked up since this paper started rating the dailies' o.e.s back in 1923-24.

Coming up with 890, based on calling 97 shows correctly out of a total of 60 reviewed by him, Watts replaces Richard Lockridge (Sun), last year's winner with 880, as the critics' champ. That Watts' win is no fluke is shown by the fact that he was leading at the half-way mark with an even better percentage of 978. Last season he finished fourth, and the year before that, was second.

The duce slot also has a first-time Louie Kronenberg of PM, whose 832 tally on 55 nights out of 86 shows caught has been exceeded only once since 1923 by John Mason (Continued on page 48)

Negro Translates Jive For Carriage Trade Crowd At Museum Jan Sesh

Fearful that the limousine trade at the Museum of Modern Art, N.Y., isn't hep to jive and a showman hot-dog Louise Crane has hired an "interpreter" for the "Concert Swing" series her "Coffee Club" series tonight (Wednesday). Translator to the tonighers will be Buddy Bowser, Negro m.c. and dancer.

On the stanza tonight will be Billie Holiday, Palmer Bros, quartet, Zutty Singleton Trio and a showman hot-dog. Bowser will do his stuff between takes and will include a lexicon of terms.

Lee Shubert's Nags

Lee Shubert has taken to playing the races, making small bets on as many as five horses in one race. When first starting he lost every bet for a couple of days straight, then called in his bookmaker and warned him:

"If you don't do any better than this I'll give you two weeks' notice!"

Wall St.'s Omelet Also Lays B'way Spending Low

Wall Street has been laying another egg for some time now and Broadway legit, which usually reflect the trend of business in the stock market, are tasting a very sour omelet. When the market shows legit attendance follows suit, and conversely when there is a bear market Broadway box's sag ticket agencies and the class theatres particularly being closed.

Theatre patronage from Wall Street has been on the downgrade (Continued on page 55)

Morros' 'Lucky'??

Hollywood, June 3. Boris Morros will produce "Tale of Manhattan" for Paramount release. Picture is in seven episodes and will have as many directors. Treatment is similar to that by Par of "I Had a Million", on which 10 directors were used.

STARS TO MEET THE FILM FANS

Exhibitors Allying with Distributors and Studios to Do Something About Resuscitating the Dwindling Motion Picture Boxoffice

SKOURAS LEADS

By JOHN C. FLINN
An aroused and fighting film industry, awakened to do showmanship battle for a renaissance of enthusiastic public patronage at theaters, is the substance of a suggestion tossed into the laps of affiliated and major independent circuit operators at a closed meeting of exhibitor (Continued on page 22)

'SLANDER NEVER HURT ANYBODY'

Boston, June 3. Radio slander can continue unabated during political campaigns since the State Senate by a rising vote of 7 to 18 refused to approve a bill imposing penalties for this type of libel. The bill was previously passed by the House of Representatives.

Senator J. Blanchard, of Cambridge, opposed the bill, declaring that "slander never injured anyone. The purpose of the bill is to protect sissies. I would advise men to keep out of public life unless they are prepared to take it."

Every-Act-a-Headline With Stokli the Hokey Drum-Major of Symph

Detroit, June 3. That Leopold Stokowski temporarily left a bad taste in these parts. Evidently miffed because the locals got crossed up on daylight saving time (not here) and failed to meet him, Stokowski quietly left the Hotel Book-Cadillac. After he was in, the reception committee gathered.

Out in the street, the ROTC band of Bedford High school went through its repertoire of Sousa twice, until all the kids were winded with an hour's playing. Then word came out "The Great Man was inside. The kids hit it up again. Word came out Stokowski was shaving. The band played "Word came out he was shaving" (Continued on page 55)

Scarcity of Marquee Stars Holding Back 20-26 Top Pix from Production

Flash!

Boston, June 3. Will Bradley seeks a boogie-wogie tune to fit a title suggested to him: "Fly Me Oscar, but Not at the Wardrobe!"

Cobina-Brenda 'Unlady-Like,' Off Air Next Season

The Cobina-Brenda characters won't be on Bob Hope's program (Repepdent) next season. The producers have been gradually easing out the femmes for the past several months, using them but four times in the last 10 programs. Action began to sour on the characterizations, as done by Elvira Allman and Blanche Stewart, in mid-winter when letters poured in complaining about the roughness of the material assigned the pair.

Miss Allman (Cobina) will remain with the show next season for flooge bits, the capacity she filled before the C-B characters were created.

Doug, Jr., Goodwill Tour Of So. America Rated Success Despite Nazes

Buenos Aires, June 3. With only the Nazi press letting go of editorial brickbats and the rest of the Fourth Estate tossing out bouquets with both hands, the White House-blessed South American goodwill tour of Douglas Fairbanks, Jr., has been noted a smooth success here not only in the film industry but by the (Continued on page 45)

HEARST SCORES IN \$500,000 LIBEL SUIT

William Randolph Hearst and King Feature Syndicate, Inc., won an important point in N. Y. supreme court when Justice Bernard L. Sherman ruled that Friday, Inc., had libeled the plaintiffs, and denied the defendant's plea to dismiss its \$500,000 suit against it. The disputed article appeared Jan. 1, 1941, in an issue of "Unbelievable," published on Friday.

The article accused Hearst of being the head of Nazism in America and pointed pictures of the publisher and Josef Goebbels.

There are 20 to 26 first-class film scripts ready for production in the various major studios in Hollywood that are being kept from starting dates because of the scarcity of "name" players. George J. Schaefer, president of RKO, who is in New York after an extended stay at the company's studio, says that the Hollywood casting problem is a far greater complexity than can be solved by the production organizations, or the players themselves. It is something, he said, that must be understood and grappled with by the industry at large, by exhibitors as well as producers.

It is the public that nominates its favorites, Schaefer declared, and the public has been given wide choice of personalities than present exhibition conditions permit. Even if experimentation should result in isolated instances of boxoffice disappointments, the industry would do well to stick to the situation and by united effort exert every promotional force to create for itself many "additional star names."

Status of the spotlight, higher- (Continued on page 22)

Gertie Lawrence's \$4,300 Weekly, Best on B'way Since Marilyn Miller in 'Sunny'

Largest earnings by an actress in the legit hold in recent years is being drawn by Gertrude Lawrence, starring in "Lady in the Dark," at the Alvin, N. Y. Salary and percentage arrangement pertaining to her appearance in the musical play give her a \$4,300 weekly, more than \$4,300 weekly. Understood that no actress has approached that figure since the heyday of Marilyn Miller, also on a percentage deal, who is accredited with getting \$3,000 a week from the same spot. (Continued on page 48)

SEX SIDESHOWS NEAR FT. DIX GET THE SCRAM

Fort Dix, N. J., June 3. Although they were off the Army reservation here, Fort Dix officers managed to put the kibosh on three female sideshow plays with the World's Fair career, entrance to Sam Perrell-operated pitch, which made a stand here all last week, was about 50 feet from the border of the Dix reservation.

Shows which the Army complained of were "Garden of Eden" in Chilton town ("Sex Manics"), "White Slavery Exposed" (etc.) and "Chez Fares" (Bubble Fair career, entrance to 144 was put on them the second night and military police were stationed in front of each tent to guarantee that they wouldn't reopen.

LaGuardia Field Newsmen Easily Sift Censorship of Passenger Lists

By GEORGE FROST

With a mild form of press censorship in effect at the International Marine Terminal, at New York's LaGuardia field, the newsmen's emergency proclamation made itself felt in the Fourth Estate's ranks this week, although actually the 'censorship' was quickly penetrated by airport reporters.

Non-American Airways, operators of the 42-ton flying boats that ply the sky-ways between LaGuardia and Lisian, without official explanation cases, including the names of army, navy and marine officers on the passenger lists released by their public relations unit to the press. Careful reports of the PAA practice and when the news chasers checked the passengers boarding the outbound Clippers and found that the actual number of travelers exceeded the figures given to them.

Putting the pinch on 'reliable informants' and 'usually accurate sources,' the Front Pages have been piercing the PAA practice and naming the names and connections of the departing war observers. The 'censorship' appears to have been a good deal for not since the war infected the world have the newsmen been more than an inch or two out of line on two concerning the observers unless they were in the top flight authorized the use of stratagems.

Arrivals and departures of headliners (Continued on page 22)

B'WAY LEAFLET BLITZ

U.S.O. Herein Keynote War News Status in Gotham Today

Effect of the war on Broadway news was seen Monday (2) when a time-saving absence from the city handbill trade on Manhattan. Similar leaflets tossed out of a plane from the sky, and the leaflets were snatched off as 'advertising' and wouldn't have created a flicker. On Monday, the leaflets were tossed out of a plane from the sky, and the leaflets were snatched off as 'advertising' and wouldn't have created a flicker. On Monday, the leaflets were tossed out of a plane from the sky, and the leaflets were snatched off as 'advertising' and wouldn't have created a flicker.

Actually, the circulars, shaped like flat bombs, announced the start of the leaflet campaign by the United Service Organizations, Army-Navy welfare group.

Sez DeMille, Hemingway Copped His Yarn; Files 2 Suits for \$6,200,000

Los Angeles, June 3.

Two picture suits were filed here today by John I. DeMille against Ernest Hemingway, writer of the novel, "The Rebel," or the Birth of a Revolution," was used as material for the book, "The Coast was This Side," by DeMille and Paramount for \$1,200,000, charging that material from the latter's book was used in the filming of "North West Mounted Police."

Dorothy McGuire Looks Set as 'Claudia' for PIX

Dorothy McGuire, who plays the title role in "Claudia," the picture set as "Claudia" for PIX. It is understood virtually set to play the role in David O. Selznick's latest production, "Claudia," the picture set as "Claudia" for PIX. It is understood virtually set to play the role in David O. Selznick's latest production, "Claudia," the picture set as "Claudia" for PIX.

College Hop Up For Pic

Guest at the University of Michigan Senior Ball will be Anita Louise, picture star.

MADEIRA'S PLANS

Hollywood, June 3.

Madeleine Carroll might make a glamorous entry in "The Lady Has Plans" at Paramount.

MORE TEASE THAN STRIP

By J. P. McEvoy

"It was playing in a little drama called 'The Gyp Nineties,' demurely confesses Gypsy Rose Lee. 'Shoulder to no reason, but I had a terrible thing happened—a sudden strap broke. Today I'd strap it tight on me when I was on the stage, so hard the other shoulder strap broke and suddenly I realized the audience was actually seeing me. One less thing led to another and soon I was just standing there, blushing all over. As a matter of fact we changed the name of the show to 'The Gyp Nineties,' and in a few months had made a million dollars. Well, maybe not a million, but Gypsy does her right. Brought out to the audience by the center aisle, the studio gave her two G's a week (And I don't mean strings) said Gypsy." For the first time in her life she had stripped her way up from burlesque, was an actress. "The kind you wear clothes," as she proudly proclaims.

"Never put off tomorrow what you can put off today," might be the success secret of Gypsy, who literally pulled herself up by her own shoulder straps. Center aisle, the other pulled for countless causes, foreign and domestic, including one in New York, where she was not-for-the-blind! Most publicized was her strip tease at the Star-

Joan Called by RKO

Joan Carroll quit 'Panna Hettie' on Saturday (31) after more than 300 performances to return to the stage for her new assignment, RKO. 300-year-old, who attracted attention in RKO's 'Primrose Path,' was on leave of absence from the studio for the appearance in the B. G. Deslyva show on Broadway, 'Helen in Oblivion' (You said), which Richard Wallace will direct from the adaptation by Jerry Day of Arthur T. Horman's original.

DUSE IS VOTED 'GREATEST ACTRESS'

Eleanor Duse was the greatest actress of all time, according to a poll of motion picture critics recently conducted by the N. Y. Daily News. Although many of the names involved answers, the late Italian tragedienne received nine clear selections as 'greatest' and four mentions as 'among the greats.'

Sarah Bernhardt got five votes as 'greatest' and two mentions as 'among the greats.' Mrs. Fluke received four 'greatest' and five 'among the greats' mentions and three, respectively. Ethel Barrymore got two 'greatest' votes and four 'among the greats.'

Among the current actresses who received one vote as 'greatest' and several mentions as 'among the greats' were Helen Hayes, Katharine Cornell and Lynn Fontanne. None of these latter three named any of each other.

As actually worked, the News Inquiring Photographer's (Jimmy J.) mail question was, "Who was or is the greatest actress of all time? If your first choice is neither Aristotle Brucoli, who died in 1810, or the few of the greatest English-speaking actresses: Few of those queried, however, replied. Unlike the usual Inquiring Photo queries, this was devoted 100% to pro actors' replies.

Three-Way Managerial Deal to Star Helen Hayes

A three-way managerial setup will present Helen Hayes next season in "Candle in the Wind," a drama with a war background, written by Maxwell Anderson, of the Theatre Guild Co. The latter will be associated with the Theatre Guild in the production of "Candle in the Wind," a drama with a war background, written by Maxwell Anderson, of the Theatre Guild Co.

ECHO OF OTTO KAHN LOAN

Olin Downes' Suit Against Wythe Williams Dates Back to 1931

A suit by Olin Downes, music editor of the Metropolitan Opera House, against Wythe Williams for \$4,000, was re-argued Monday (2) in N. Y. supreme court when the matter was taken up, amine Williams before trial. Application will be argued on June 6.

Downes claims he says Williams borrowed \$5,000 jointly from Otto Kahn, deceased chairman of the board of the Metropolitan Opera House, in June, 1930, to be re-paid Dec. 31, 1931. Of the amount received Downes got \$1,000, Williams, \$3,000, it is claimed. Williams refused to pay and Downes was forced to pay the entire amount for Williams in his answer, admits borrowing the money, but denies receiving \$4,000 for his own use.

Lamour's 6th Yr. at Par

Hollywood, June 3.

Before leaving for an Hawaiian vacation, Dorothy Lamour inked a new contract, starting her six-year run at the Paramount lot.

Four pictures await her return. They are "The Girl in 'Hawai' Paradise," "Mama's Little Girl," "The Road to Morocco."

THE BERLE-ING POINT

By Milton Berle

One week to go before opening at the Paramount. The reason I'm playing there is that I'd rather play there than anywhere else. I'm nervous. Just found out that the first three rows have been reserved by the 'Knite Throwers of Broadway.'

Having Coca-Cola machine installed in my dressing room so the visitors can help me pay my lady's salary.

I've asked for a room that's so soundproof, nobody in the theatre can hear me when I'm in there.

Sudden thought: Have a contract with 20th Century-Fox. Am going to play the Paramount. And the week I'm there I hope I have Universal appeal. (R-K-O-V)

Broadway Department:

New ASCAP theme song: "The Feeling Is Mutual!"

Wendell Phillips, who was being wheeled in a roller chair, she was being wheeled in a roller chair, she was being wheeled in a roller chair.

Saw Broadway Rose on the Atlantic City boardwalk. Instead of riding in a roller chair, she was being wheeled in a roller chair.

Ben Bardien is certainly doing his share for National Defense. He's leaning the roof and windows open at the Riviera so the boys on the battlements in the Hudson can listen to the music.

Sign on Broadway café: 'Our steaks look good because we cook them in Sun-ian oil!'

Hollywoodiana

News Flash! Hollywood Park racepark opens! 6,000 Bank Accounts Closed

Rerort! John Barrymore made a awful mistake the other day. He walked into a liquor store!

They're thinking of making a sequel to Paramount's 'I Wanted Wings,' and 'I Wanted Wings' will star Peggy Hopkins Joyce.

Jimmy Stewart writes that he just found out what an Army Hostess is—a girl who defends herself with a bayonet.

The California Fruit Packers are putting new pictures of movie stars on oranges. Can you imagine a henpecked husband squeezing Lana Turner in the kitchen?

Music Department

Do you think BMI songs will bring back O'Jala boards?

Skinnay Ennis doesn't have to worry about getting into his house. If he doesn't get in, he'll get in by the back door.

Russ Morgan's hand has a new theme song, "By a Waterfall." And they're going to play it one drop at a time.

Radio Department

Heard a band on the air that was so off-key, the leader is now receiving fan mail from locksmiths!

Found a radio with a guarantee that I can't get "Intermezzo" on it!

Success story: When Jack Benny went to school in Wakegan, his hairline was voted the most likely to succeed. (And it did!)

Biographical Descriptions

Philadelphia National: Nice Sleepy People... Club 18: Loon-wood... Great: The Great T... Joe the Great T... Meet John Doo... W. C. Fields: I'll Be With You in Apple Brandy Time.

Observation Department

I know a Hollywood actor who's so exclusive he has an unlisted wife. Just found out what a rumble seat is—a concentration camp for relatives.

Evadedropped at Slork: "She stepped out of my dream and tripped over my wife!"

Evadedropped at Famous-Door: "He's so worthless, he doesn't even have a suitable valet."

Evadedropped at Versailles: "She was his pet, present and future!"

Joe Frisco claims to be the only one in Hollywood who has 12 options and no contracts.

Whatever Became of???????

Hooper & Gutcheit Klamurs's Japs

Mr. Casper's Japs

The Watermelon Girl's Afterpiece

Nelly & Comfort

Dietz Lines Up Texaco 'Bond Stars' Oil Firm to Pay For Orchestra, Chorus, Time For U. S. Treasury Campaign

L. A. to N. Y.

Denise Day, Dennis Day, Reeves Eppy, Mrs. Eppy, Mrs. Eppy, Fairbanks, Matty Fox, Virginia Gilmore, Harold Heuer, Jack Kapp, Arthur W. Kelly, Eric L'Amour, Robert Longnecker, S. Barret McCormick, Burgess McGlough, Anne Mearns, Anne Nagel, Les Peterson, Louis Bainer, George Seid, Norma Shearer, Murray Silverstone, Kathryn Tupper, Marie Valentine.

Task of obtaining guest stars for the Wednesday night half-hour Texaco sponsored by U. S. Treasury Department July 2 has been assumed by a committee with Denise Day as chairman. The committee will be made up of names from pictures, radio and legit to make gratis appearances on the bond drive. The committee will be having agreed to signature the chits not only for the time but the million-dollar bond drive. The list consists of an orchestra banded by Al Goodman, a mixed chorus with Ray Bloch as director and whatever actors are needed for support in script interludes.

Cloude's contribution to the series will be the production services of Earl McGill.

N. Y. to L. A. Heather Angel Set For Selwyn's B'way Play

Hollywood, June 3.

Edgar Selwyn signed Heather Angel for one of the lead roles in his forthcoming legit production, "We Fought at the Front" by Frederick Hazlett Brennan, to open in Boston and later, shifting to Broadway. Wilfrid Brinley and whatever actors are under consideration as cast top.

Rehearsals start July 18 in Boston.

SAILING ARRIVALS

May 28 (Los Angeles to Honolulu) Dorothy Lamour (Lurline).

Phil Reisman, Maurice Livingston, Lucy Kastner.

'Be Grateful'—WWRL to Aliens

As a preface to all its foreign language programs, station WWRL, Woodside, N. Y. C., last week started airing the following announcement:

"No matter where you hail from, you are now an American. Only in our beloved United States can you enjoy radio entertainment in your own tongue without Government interference. Justify American confidence in you by thinking, speaking and being an American."

Buenos Aires Beefs About RKO's 'Argentina' Even Before Pic Arrives

Buenos Aires, June 3. Squawks on RKO's "They Met in Argentina" have started here even before a print has arrived. La Razon, important afternoon daily, in a story based on a New York Herald Tribune review of the film, asked that, in the interest of good will between the Americas, the picture be withheld from release.

He then reticent the plot as 'famous.' Razon columnist declares: "That would be neither new nor important. The extraordinary thing about the case is that, although the film was planned, according to announcements, as a goodwill builder between Argentina and the U. S., it seems intended to irritate once more our national susceptibility by its falsehood and willful misleadingness, which makes it more than still."

As a matter of fact, the story continues, "it is difficult to believe that film companies desire to offend and annoy a neighboring country with pictures sent down for commercial reasons. The New York Herald Tribune comments: 'It would not be surprising that the Argentine people will be interested and troubled when they see "They Met in Argentina," if, in fact, insulting to us in the United States.' And it is to be supposed that this film will come to..."

(Continued on page 94)

MERCHANT OF VENUSES INCORPORATES FOR 50G

Albany, June 3. John-Powers, model agency head, whose exploits are to be filmed by Warner Bros., has organized a new corporation to handle the motion picture aspect of his biz. It's labeled John Robert Powers Attractions, Inc.

It authorized capital, \$50,000, is the sum JWB is said to have paid Power for rights to the subject. Powers, his wife, Alice Burton Powers, and his attorney, Gordon S. P. ... are the directors of the new corporation.

Reisman Back From S.A.; Hudding With Whitney

Phil Reisman, vice-president and foreign office chief at RKO, who returned from a business trip to South America, Monday (2), will confer with John Gray Whitney, chairman of the film group of the Rocketeer goodwill committee, some time this week regarding latest developments in the Latin-American. Instead of a written summary, Reisman plans to talk over the accomplishments for the film business generally in developing the 'goodwill' feeling of sister countries of the border. He previously had mailed Whitney a fairly comprehensive summary of conditions in the countries which he visited.

Reisman would offer no further comment to Variety on his return. An American looked other than that things fussed better for wedding emperic sister country.

Pampas Poison

Buenos Aires, June 3. Pepe Arias, No. 1 Argentine comic, currently trouncing the tables on U. S. film makers who show gaucho in trick outfits, sports this gesture: Tiger skin; green and white spotted tie; 3/4 length light-colored wrap around coat; black and white sport shoes; one hand constantly in the pocket.

DEMILLE SHIFTS SLATE AS GOODWILL ASSIST

Hollywood, June 3. Cecil B. DeMille, shifting his production program at Paramount to help the national program of good will between this country and the Pan-American republics. At the instance of the Council of National Defense, Demille is deferring start of his "Top Woman of the Bell Tolls," and is pushing ahead plans for filming of "Rurales," which deals with life in Mexico.

It All Comes Under Head Of Good-Neighbor Spirit

Mexico City, June 3. The National University of Mexico, North America's oldest seat of learning, functioning since 1524, on June 1553, meet well when it presented a mousieff in honor of all the Latin American Republics, but it got into a bad jam as a result.

The festa consisted of displaying the flag of each young nation in rendition by the college orchestra of the national anthem or hymn of the functioning, former well until it came Nicaragua's turn. The flag was okay, but the musicians didn't know the Nicaraguan national anthem. So they played something that sounded like a mixture of swing and rumba. The Nicaraguan government stamped out in a rage and protested to their legation. University authorities partially pacified the Nicaraguans by making profuse apologies.

Leonard and Shackleton Still Sing—for the 'Boys'

Fort Dix, N. J., June 3. Jack Leonard, former singer well with Tommy Dorsey's crew, who's among the selectees here, has been charged to entertain the lads in the reception area.

THE AMERICAN HIGH CLOTHES THE PANTS

Entirely New Approach May Have to Be Worked—Our 'Good Neighbor' Woofing of South America Fraught With Super-Sensitivities

MASTERMINDING

The Latin-American goodwill movement has become such a 'hot potato' that a new approach to the entire subject of Pan-American good neighborliness may have to be drafted forthwith. That is the reaction of numerous foreign department officials following the usual twice-per-month bulletin at the Ways and Means. Besides a representative for John Jay Whitney, head of the film division, the major company foreign-exports chiefs listened to Clay Hake, 20th-Fox Australian chief, recently arrived from Sydney, and John N. Paramount's manager in Argentina.

Restrictions of all sorts in nearly every Latin-American country, threat of worse restrictions and additional taxes were discussed along with developments on the good-neighbor front. Foreign sales chiefs were told that many Latin-American nations claim the trade protection in their countries is forcing them to add additional restrictions. Besides the additional tax threat in Brazil and Argentina, foreign managers also were advised of a similar situation in Mexico.

The super-sensitivities of the (Continued on page 15)

EZRA STONE KEEPS ROE IN ARMY

Even should Ezra Stone be inducted into the army in July, he will continue to play the name role in "The Aldrich Family" (General Footlock). Account and agency, Young & Rubicam, had considered having him do the show from camp, but this idea has been abandoned for another. He would either come to New York for the weekly event by special train, or be assigned to duty in New York so that the weekly trip would be unnecessary.

Agency had been holding auditions for a Stone substitute.

Danny Kaye Balks at CBS Shifting Him To MCA; Morris Agcy. Setting Pic Deal

Moot question by the American Federation of Radio Artists, in taking his representation to the William Morris agency on a proposed picture deal with Sam Goldwyn, recently arrived last Tuesday (27) from the Coast expressly to catch the comedian on his closing night at La Martinique, New York City. They're still talking details. Kaye is being handled by Jack Bertel of CBS Artists Bureau for cafes, etc., but William Morris, Jr., interested Goldwyn in Kaye for (Continued on page 40)

Paul Lukas, Gertrude Lawrence 1-2 In N. Y. Critics' Poll on 'Best Acting'

A Daiquiri Salute

Havana, June 3. Havana Rotary Club today (Tuesday) staged a special luncheon to present Paramount a trophy for the "delicate supervision" done on "The Ghost Breakers." Trophy goes to the Hollywood Rotary Club for formal presentation to Par.

BRAZILIAN EDUCATOR'S KUDOS TO H'WOOD PIX

Hollywood, June 3. Dr. Perdo Calmon, Brazilian educator and member of that country's committee for the betterment of relations between the Americas, declared Hollywood's motion pictures the best the world has ever seen, and urged their use as a medium to create a stronger bond between Brazil and the United States.

Declaration was made at a luncheon in the RKO commissary over which J. R. McDonough presided in the absence of proxy George J. Schaefer. Most Rev. John J. Cantwell, Archbishop of Los Angeles, in an answering speech, asserted the motion picture industry is the greatest source of education today, and urged the efforts of Hollywood film makers in support of the Good Neighbor policy.

Copies of the one-minute platter will be sent to 800 radio stations for gratis use.

WARING'S 'DEFENSE' THEME

Fred Waring has been selected for the Treasury Department of "Dollars for Defense," a special song by Alan Kent and Austin Brown Johnson to plug the sale of defense bonds.

WB LINES UP TYROS FOR SUMMER TRAINING

Hollywood, June 3. College and high school students are being signed to optional acting contracts at Warner's for the summer. With the idea many may show enough talent to be utilized after graduation. System gives them a "try-out" opportunity. It reads the rudiments of the film business without interfering with their schoolwork.

Paul Lukas, in "Watch on the Rhine" has been selected by the drama critics of the New York dailies as giving the best performance of the Broadway season just past. He received eight possible number of votes—nine.

Gertrude Lawrence was runner-up in the balloting, getting eight votes for her performance in "Lady in the Dark."

Other players who received numerous mentions included Ethel Barrymore ("Corn Is Green"), Dorothy Green ("Corn Is Green"), Joseph McGuire ("Claudia") and Josephine Hull ("Arsenic and Old Lace"), with seven votes each.

Canada Lee ("Native Son") was next with six ballots, with Jane Cowl ("Old Acquaintance"), Katharine Cornell ("Doctor's Dilemma") and Jose Ferrer ("Charley's Aunt") following with four votes each.

Peggy Wood ("Old Acquaintance") and Helen Mendenhall ("Flight and Honor") were tied for "Best Actress" to the West" drew two each.

Those getting two votes apiece were Richard Widmark and Thelma Schoene ("Corn Is Green"), Philip Merivale ("Talley Method"), Eugene Lester ("Dear Mr. People"), Shirley (Continued on page 52)

AHERNE'S MUSICAL READINGS IN PHILLY

Philadelphia, June 3. Screen actor Brian Aherne will give a program of Shakespearean readings with a symphonic background at the Robin Hood Dell, July 31 backed by the Philadelphia Orchestra, bated by guest conductor.

Aherne was linked for this stint when John Barrymore, originally the absence of proxy George J. Schaefer, in addition to Shakespeare, Aherne will read Poe's "The Hound of the Baskin's," "The Wolf," a musical drama by Serge Froese.

The musical readings are a new twist in Robin Hood Dell programs. They first started way June 19 extending through Aug. 8.

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O'Connor named a Universal S. P., Fred Meyers New Eastern Sales Mgr.

Both John J. O'Connor, who resigned as general manager of RKO Theatre, and Fred Meyers, who resigned as manager of the Motion Picture Booking Corp., at the same time about a month ago, joined Universal in executive capacities yesterday (Tuesday), action on their long-term pacts being taken at the directors' meeting. O'Connor becomes vice-president and executive assistant to Nate Blumberg, president of U, while Meyers becomes eastern sales manager of the company. Announcement of appointments was made after the directors' meeting. Blumberg pointed out that the new officers were named in line with Universal's policy of maintaining closer exhibitor relations. Both he and O'Connor long were identified with the operation of RKO, the latter moving up to become general manager when Blumberg resigned in 1938 to become president of Universal. Matty Fox, already an executive assistant to Blumberg, is expected to be called to the colors in a couple of months.

William A. Scully, general sales manager, announced the promotion of the company's executive sales setup in connection with the promotion of Meyers to eastern sales manager. Meyers will be in charge of the territory covering New England, New York, Philadelphia, Washington, Albany, Cleveland and Pittsburgh.

F. H. McCarthy, former eastern sales chief, moves over to the newly created position of southern and central sales manager. He will have charge of the following branches: Atlanta, Charlotte, Dallas, New Orleans, Oklahoma City, Memphis, Cincinnati, Indianapolis and St. Louis besides the Canadian cities which include Toronto, Montreal, St. John, Toronto, Vancouver and Winnipeg.

William J. Heisman, until now western sales manager, is made assistant general sales manager and goes to Scully. A new man will be in all the spot vacated by Heisman, covering the territory that includes Chicago, Detroit, Philadelphia, Minneapolis, St. Paul, City, Omaha, Des Moines, Denver, Salt Lake City, Los Angeles, Portland, Seattle and San Francisco branches. Also stated that there would be a new man in future production, who will be named by the new sales re-arrangement.

Court Orders RKO 'Revels' Suit to Trial

Jesse Solomon's suit against RKO Radio Pictures, Inc., must go to trial, Judge Samuel Mandelbaum in N. Y. court ruled on Tuesday, holding that "sufficient similarity exists between the disputed scripts" to warrant a trial. Plaintiff seeks an injunction, accounting of profits and damages against Radio City Theatre. Solomon claims the RKO picture was based on his play, "It Goes Through Here," submitted to and rejected by the film company.

Metro's Abbott-Costello Dicker for 'Rio' Remake

Metro has negotiated a deal to borrow Bud Abbott and Lou Costello from Universal on a per picture basis for one picture annually for three years.

Plenty of Shags Will Fly

Eight stories by Johnson McCall, author of "The Mark of the West" were bought by Signe Neufeld for use in his forthcoming western series. "Frontier Marshal," to be made for Producers Releasing Corp.

Top spots in the serial have been assigned to Tom T'wiler and Lee Fowlett.

Selwyn Hurries to Get 'Eight Girls' Into Work

"Eight Girls and a Horse" hops into the saddle at Metro before Edgar Selwyn moves eastward to put on his legit show. "We Fought at Arques" destined for an opening in Boston, before hits to New York. Selwyn took Albert Mannheimer off the script of "Du Barry Was a Lady" and assigned him to "Eight Girls" to get it ready for early production. Producer himself spent two weeks in the east launching his legit play, after which he returns to screen one of his own plays, "The Adventures of Pierre" on the Culver City lot.

Pascal Forsakes Shaw For His Next Pic Which Will Be Made in Canada

Gabriel Pascal's next film will not be a George Bernard Shaw story, but a picture by a popular and short-story writer, the producer revealed in New York on Monday (2). Pascal's new picture, "The Girl Who Will Be Made in Canada, production to start in about eight weeks, Pascal said.

In the meantime, the producer, who has exclusive rights on the filming of Shaw's plays, will be England at the end of June for a year. If present divvy pace is maintained, common stockholders would be in line for a share as high as 80 per share during 1941.

Par directors also declared the regular quarterly dividends of \$100,000 to common shares and \$150,000 to the preferred. All distributions will be made July 1 to common stockholders of record. June 15 and preferred stockholders of record, June 15.

Increased payments on the common are making these shares more attractive from a dividend standpoint than the second preferred, indicating that the company is seeking to obtain additional conversions of stock into common shares. Latest declaration shows 40c paid on the common and 60c on the second preferred this year.

Because the company claimed about a week ago that there were no new developments on their contemplated plan for calling in the first preferred, increased payments on the common indicate a move to make these shares so attractive that shareholders will switch from the preferred issues.

While income from the theatre district is lagging in film houses all over the U. S., Paramount's current earnings are reported holding their own as compared with the first quarter.

Hogan Swings to Darnour

Larry Darnour signed James Hogan to direct four picture a year, starting in September. Hogan's contract with Paramount runs out after a six-year stay.

Recently Hogan has been on loan from Par to direct the "Elly Queen" features for Darnour's Columbia release and will make another of that series before he starts his new contract.

DRAFT CALLS RAISING ANTE FOR TOP LENSERS

Heavy production, caused by the consent decrees, and a shortage of top lensers as a result of the national defense draft, have boosted film rental for top cameramen. Employment in the spot is at an all-time high, with wages rising accordingly. The 71 men, a record number in its camera department, eight being under ten contract. Sixteen contractors, Paramount, six contractors and others on one or two picture deals, and the increase is general in other studios.

20TH CALLS UP SIX PIX IN JUNE

June production schedule at 20th-Fox calls for the start of eight new picture beginning yesterday (Mon) with "Marry the Boss' Daughter." "How Green Was My Valley," "The Purple Sage," "Man At Large" and "We Go Fast" roll simultaneously June 9; "Week End in Havana" starts June 16; "Come Into My Parlor" and "Remember the Day," June 30.

ANOTHER 20c DIVVY ON PARAMOUNT COMMON

Declaration of another 20c dividend on the common by Paramount directors last week makes a total of 40c declared on these shares for a year. If present divvy pace is maintained, common stockholders would be in line for a share as high as 80 per share during 1941.

Par directors also declared the regular quarterly dividends of \$100,000 to common shares and \$150,000 to the preferred. All distributions will be made July 1 to common stockholders of record. June 15 and preferred stockholders of record, June 15.

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2 Femme Leads in 'Fast'

Alan Curtis-Fox has two romantic leads in June in the top male role in 20th's "We Go Fast." Gals signed for the competing parts are Bobina Wright, Jr., and Sheila Ryan. Director is William McGann, starting June 9.

Other News Pertaining to Pictures

- Columbia's '49th Parade'.....Page 13
- Kastner on U. S. Pix in Nazi countries.....Page 13
- ASCAP.....Page 37
- AGVA.....Page 41
- Theaters' agreement with Teamsters.....Page 41
- Managers-actors accord.....Page 46
- Season's film buys of Broadway plays.....Page 46
- Equity.....Page 47

Films Closer Ties With U.S. Defense Under the National Emergency

Simplification of the whole national defense set-up for the film business, establishment of a permanent office reporting directly to the industry and a voluntary method of censoring pictures at the source, are the main features of the declaration of the national emergency.

Because of his marked efficiency as coordinator on all U.S. defense pictures, Francis L. Harmon, executive assistant to the permanent national defense liaison executive on a full-time basis. This would be possible through granting him a leave of absence from his Motion Picture Producers & Distributors Ass'n job.

With the national emergency status declared, the film business expects to outline a setup which will avoid the mistakes made by other nations originally on declaration of war, and one that will make a 20th-Fox five of defense films designed to attract attention rather than drive away business. The plan from the industry will be to leave the defense motion picture effort to the business end of the industry with people aware of entertainment needs in key spots.

It is likely that the industry will see the alignment for all producers turning out shorts, newsreels and features, following the general plan of the United States during War I. Chief difference will be that any bottlenecks in film releases and wastes of film business will be avoided via the industry's own defense representative.

Under Army Men Simplification process will call for an arrangement whereby cameramen and producers would become excellent members of the U.S. Army, Navy and Marine Signal Corps. Such men would wear an insignia and be able to go into camps and look over military assignments but, at the same time, be able to do their regular work as any other Signal Corps man. By giving the producer-cameraman an official status, the industry producers would be able to photograph material deemed interesting for the average theater audience without divulging any secrets of the U.S. military establishment.

Such a setup would enable newsreel and shorts photographers to be able to get items without tapping off any secrets. Where certain topics, culled from intended cameramen, would be able to work as general theatre audiences, the clips could be incorporated into subjects for short newsreels and branches of the service. Also this arrangement would loosen up the present clampdowns on the industry is reported thwarting newsreels and shorts production from obtaining audience material.

Duck Red Tape In making industry-cameras responsible to the Signal Corps division to obtain necessary defense information, the industry will be able to bolster national unity with the minimum amount of brasshat censorship. But, at the same time, new alignment will make the camera-producer jointly responsible for any Army, Navy or Marine pictures produced. Further safeguard would be provided by having a central military censorship office to be set up at original negative before it is sent any industry for development or making duplicate copies for the Signal Corps cameramen within the industry. Present complaints about vague rules of censorship will be eliminated. At present the complaints of cameramen that the military assumes what they can't make in the way of defense subjects under the new setup.

It would be possible to photograph objects deemed highly confidential because of the double check, first edge that no secrets can be revealed, and second through the final censoring at the source.

Film business is understood back to the management committee would centralize and simplify the necessary censorship while resulting in more intelligent army and navy pictures. Also it would decrease charges of favoritism in getting quick coverage on certain subjects, which companies will be able to

advantages in photographing a film, and make a more thorough censorship without the present divided responsibility. The stipulation of cameramen must be U.S. citizens and that censorship of material will be made at the source. The industry commercial lab is regarded as making the new arrangement alright if it is possible to have military information.

4 PRODUCERS PLEDGE ROOSEVELT SUPPORT

The motion picture industry has pledged its full support and cooperation to President Roosevelt during the national emergency. A few minutes after the President had declared a state of national emergency, the heads of the industry, the man, president of the Producers' Association, issued the following statement:

The motion picture defense production committee, composed of representatives of the three great creative forces of the industry—the Screen Directors Guild, the Screen Writers Guild and the Screen Directors Guild, as well as the National Association of Motion Picture Producers, labor crafts, and other fields of film endeavor, has made a unanimous determination to do everything within its power, and within the abilities of those who work in motion pictures in Hollywood, to do its part in the present national emergency. I pledge the President of the United States.

President Roosevelt's national emergency declaration, his response from 2,000 employes on the 20th-Fox lot, who signed the following statement, sent to the White House.

"We believe that great leadership has been shown by the President in an hour of crisis. We believe that the course you have charted is the only course consistent with national dignity and honor. We believe it is the only course which can lead to a permanent peace. We believe in you, Mr. President, and to you we herewith give our pledge of unstinting and unconditional support and without reserve."

Interstate's Dillo Galveston, June 3. Holding their biennial convention here, more than 200 managers of the Interstate Theatre, presented a resolution, their lives, fortunes and sacred honor" to carry out their duties consistent with President Roosevelt. A highlight of the opening day's meeting was the address by Interstate president, who told the audience that he had listened to the President's speech.

In a telegram sent to the President, after the broadcast, signed by Interstate president, it was stated that "America will not fail you. We commend you for your inspiring leadership."

Loew-Lewin Initiating 'Land Fall' for UA

"Land Fall" is believed to be the first of two pictures to be delivered by the Loew-Lewin-Albert Lewin production unit for United Artists release this season.

Blumenthal Has Untied June 10 in Subpoena Plea

A. C. Blumenthal has been granted untied June 10 to file a memorandum with the Federal Court in New York, U. S. federal court, to support his claim of illness which, he asserts, was the reason he failed to appear as a witness in the Joe Schenck-Joe Moskowitz trial.

How the 'Big 5' Stands on Product

Company	Promoted	Del. to June 28	Balance
Metro	50	37	13
Paramount	44	36	10
Warner Bros.	62	46	6
20th-Fox*	62	46	6
Warner Bros.	60	42	8
*1941-42 season starts Aug. 26.	46	Others released Sept. 1, 41	

Silverstone's Own Coin Into Indie Prod. Unit; He Will Release via UA

Much of his own coin will go into the new producing unit being set up by Murray Silverstone. Former United Artists chief, who resigned last week, is in New York now arranging the financing, which will be supplied partially by personal contacts, partially by banks and in lesser part by Mary Pickford. Setup of the new outfit, to release through UA, will somewhat resemble that of Mayfair Productions, Jules Levey's organization which released through United Artists, Silverstone, whose greatest experience has been in distribution, just as Levey's was, former sales manager for RKO, will give his prime attention to the sales and booking of his film, which is a specialty by name, even that is said to have resulted in some \$200,000 extra gross on his initial production, "Boys from Syracuse."

Actual production of the Silverstone outfit will lie in the hands of a top-notch producer, former UA man, he said, is one whose contract with another company expires this week but whose terms return to UA. Topper, he will be in the unit on a producing basis.

Deal for new money is reported to have come from another laboratory company, reportedly Consolidated Films, which means Mono will switch its printing business away from Pathe Laboratories, operating subsid of Pathe Film.

Pathe paid about \$200,000 for this batch of stock shortly after the present Monogram corporation was launched, obtaining all Mono printing in its return.

Trem Carr now heads Monogram production, with Scott Dunlap in charge of turning out the A picture.

Three-year tenure of Silverstone as world-wide chief of United Artists—he served the company for a number of years previously as European head—was marked by a sharp upturn in the distributing outfit's income. Silverstone's policy was to increase the number of pik the company released each year, in that way reducing the overhead by spreading it over more product. "The idea was there to cut production carrying the load, the exec figured, and should be used to its full extent."

It was that policy, however, which led some of the company's independent producers to their objection. With the big profits being turned into the company, they considered the manager an "overhead" and contrast to a "producers' man," whom they would have preferred in the driver's seat.

REEVES ESPY LEAVING GOLDWIN TO PRODUCE

Reeves Espy, v.p. and g.m. of Samuel Goldwyn Productions, will be resigning from Goldwyn, it is understood, to embark on an independent producing venture of his own. He is in New York to set up details of his new outfit.

Espy was v.p. of Fox-West Coast before joining the Goldwyn organization as second in command.

2 RKOers Move Up

Hollywood, June 3. Two subordinates moved up with the resignation of RKO of J. W. C. Howe, who served as executive manager for the past 10 years. Walter Daniels, sales manager, moves up into the bank and Argye Nelson, assistant director, assumes Daniels' vacant post.

Hey, Not So Fast

Hollywood, June 3. Production is so far ahead of schedule at 20th-Fox that two pictures for next season's offerings have been finished before the first of June. It is the first time anything like that has happened on the Westwood lot.

Films are "Dressed to Kill" and "Last of the Duanees."

Report Con. Labs' \$100K Loan to Mono For Pathe's Stock

With a loan of upwards of \$100,000 virtually set, Monogram is expected to pick up more than 80,000 shares formerly held by Pathe Film Corp., according to reports this week.

Deal for new money is reported to have come from another laboratory company, reportedly Consolidated Films, which means Mono will switch its printing business away from Pathe Laboratories, operating subsid of Pathe Film.

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Eddie Cantor's UA Pic Unit Deal Simmers

With United Artists in its present unsettled state, Eddie Cantor has decided to let his pending production deal with the company simmer. He'll head for the Coast after his final broadcast in New York in about four weeks and hopes by that time that the UA future will be decided to the point where he can go on with negotiations.

Reports that Cantor was interested in buying the bulk of the stock held by the Fairbanks estate were branded entirely false by the comedian in New York this week. He said he had no such deal under consideration.

Cantor had been negotiating with UA on a three-year pact by which he would have produced one pic a year starting himself and another pic each year in which his appearance was optional. He planned to start production on the first, a musical, in July.

Seiter's 'Marriage' Next

Hollywood, June 3. William A. Seiter's next production-director job at Universal is reportedly being held in reserve until late this month with Francony Theatre the first choice for the male lead.

Films, based on a mag serial by Hagar Wilde, is the first of two to be produced and directed by Seiter for UA's 1941-42 program.

JUST RELEASER

'Big 5,' Under the Consent Decree, Must First Get Blanket-Contract Commitments Out of the Way Before Starting on 1941-42 Showings

HOW THEY STAND

Necessity of clearing the release decks for all features promised under blanket contracts for the season of 1941-42 is the requirement facing the five major companies that are parties to the U. S. anti-monopoly consent decree, before new product to be released after Sept. 1 can be shown publicly. The exception is any film presented nationally on a "roadshow" policy.

Such is the consensus of several sales managers and company attorneys who are struggling with the film distribution difficulties as the time of transition from old to new methods is completed.

Need of completing the current season's contractual obligations has arisen in the past several months. Existing license agreements with theaters specify a definite number of pictures to be released under each agreement.

One of the companies, 20th-Fox, has held to July 31 for some years as its annual releasing season. By virtue of the consent decree terms, 20th-Fox beginning this fall will start its annual releasing season on Sept. 1, in line with the other majors.

Revision of the five major distributors as regards numbers of pictures promised for 1940-41, their releases in 1941 and the balance due to exhibitors through July and August is detailed herewith. Study of "Various Advance Production Chart, appearing in this issue, discloses that most of the Big 5 picture in question to complete all promised deliveries.

By studio, completions of current season product, some of which remain in cutting rooms, in the process of final editing, are:

Metro, completed, 43; Paramount, 41; 20th-Fox, 50; and Warner Bros., 50.

It was anticipated several months ago that complete deliveries would be finished and nationally released early in August, thus permitting exhibition of some of the new film production in the various affiliated theaters and franchise circuits prior to Sept. 1, on which date product would be ready for independently or rated releases. Film bookers, for one of the largest exhibitors, were fortunate to fulfill current obligations. Pictures to be released by the five majors in July and August to clean the slate.

Availability Fear. Attorneys of the film companies are advising their sales managers to avoid publicity in connection with publicly releasing new product before the current season's list of stock is completely up to date. It has been expressed that to "beat" the gun may result in a demand from exhibitors for any pre-released stock not considered as available under existing contracts.

As yet, no being regarded as the "M' Month," when private trade showings will be arranged in every city according to a major release will be consummated is strictly a matter of current conjecture. As yet, the first part of the clearance must be negotiated before films actually start through the booking market. According to a major sales manager, the effort will be made to synchronize release dates after Sept. 1, and to avoid possible conflicts. Films will have the benefit of national publicity. A condition of street showings, with certain sections of the country seeing pictures first in advance of others is regarded as "something to be avoided."

UA's Revitalization Aim Right Now: Prestige Producers (Selznick-Capra); Kelly Vice Silverstone Pro Tem

More Red Meat

Hollywood, June 3. Bull Aghing in the Hollywood edition of "Blood and Sand" is too skimpy for the Mexican picture fans, so being south-of-the-border reels contain more top sequences. Gus Mohms, manager 20th-Fox in Mexico, is in Hollywood to supervise the injection of new "bread and butter" into the picture for the public down yonder.

About 1,000 feet of bull ring action, deleted from the U. S. film, is being restored for the Latin-American version.

Mary Pickford Would Remake 'Coquette' Now

Mary Pickford will go into production on her own, aside and apart from her interest in United Artists, on a proposed unit, the former screen star revealed on her arrival in Hollywood. (Latter is believed ried trip east—she is scheduled to plane out today (Wednesday)—is believed to be least partially on financial setup of her own organization.

Miss Pickford said she hopes her initial film will be "Coquette." Principal thing delaying it now, she declared, is lack of a proper star name for it. She owns the rights to property. It was the first all-talking picture in which she appeared, made back in 1929.

Her interest in the indie production company being set up by the recently resigned United Artists chief, Miss Pickford said, will be "advisory and non-binding" (latter is believed to be small, and not administrative).

Miss Pickford about a year ago indicated that she wanted to go into production at that time for release through UA, of which she is a part owner. It is understood she attempted to obtain financing, but failed on the terms which she offered. She said to desire to put only a limited amount of her own capital into the venture. If she had her name, a firm should have considerable value.

ROTHCEK SEEKS UA OUTLET FOR RAF PIC

Hollywood, June 3. Anton Rothceck, recently arrived from Europe, is negotiating a release deal with United Artists for a story of the R.A.F., to be produced in Hollywood. Picture will be based on the novel by Keith Arlington. Rothceck plans early production, with John Beal signed to the male lead.

Schaefer's N.Y. Huddles; Breen Due East Later

George J. Schaefer came from the Coast over the weekend for home office conferences with RKO theater chief, Harry Warner. He arrived Thursday (29) but went directly to his home in Westchester, where he is now staying. Originally expected that Joseph I. Breen, new studio head, would accompany him, but Breen instead went to New York for the first time when he comes east for the annual sales convention later this month.

With selection of a successor to Murray Silverstone as United Artists' head still vague, owners are nevertheless determined to revitalize the company without "handing out" large-scale inducements to top-notch producers who can be regarded as beneficial future shareholders in UA. David O. Selznick and Frank Capra are currently being negotiated with to this purpose.

Principal idea of the owners, as expressed by Mary Pickford in New York Monday (2), is to get UA back to its policy of 29 years ago, with exclusively quality pictures and fewer of them. "Although immediate profits to the stockholders frequently weren't so great under that policy, according to industry observers, its long-run value was to give greater stability and more continued earning power than by absorbing overhead by the distribution of the large number of pictures, some of them necessarily of lesser quality. Appointment in Hollywood by the board last Thursday of Arthur W. Kelly as operating head of UA is a temporary move, Miss Pickford said. The v.p. and distribution chief will restrict himself to his former activities after a commanding industry group is obtained to specialize in the producer end of UA activity.

Kelly, meantime, will remain on the unit until he has been found in a final effort to get the product for 1941-42 in a sufficiently improved form. He will also postpone sales conventions and get the salesmen out in their territories. The v.p. and distribution chief would, of course, to obtain a couple of big name additions to UA's production slate to give the film producers something to throw at critics as an inducement.

Selznick Stalling?

That's the question being asked for the offers to Selznick and Capra. Selznick has two pic to make under his current UA deal, but has been stalling for some time. How long now want him not only to go to work, immediately, but extend his contract and make a stock interest. Whether Selznick would otherwise continue with UA after his two pic are delivered is considered dubious, inasmuch as there have been plenty of offers from other companies.

Capra is said to favor an alignment with UA if certain details can be worked out. He is said to have made it possible for the production unit Goldwyn pulled out of the organization. Company would not only make it possible for the producer to buy stock interests, but would provide financing and underwriting of production costs.

Miss Pickford emphasized, however, that the stock is not to be handed out on any stringing tactic, but will have to be earned by the producers. "No one handed us the stock when we formed United Artists," she said.

She declared it would be distributed in the same manner Alexander Brown, who had been working for it out of earnings over a period of time.

Such available comprise the Goldwyn shares, which the company recently bought from him for about \$100,000. He had sold to the Fairbanks estate. Miss Pickford said the latter would be acquired by the UA. The deal is set, she said, although it must be approved by the court. Their owners are Alexander Brown, Korea, and Charles Chaplin. James Mulvey, Goldwyn v.p. and eastern rep, was offered the post of UA's top sales man. He had, he definitely, refused it. Mr. Mulvey loves Mr. Goldwyn too much and Mr. Goldwyn loves him too much, so much, Miss P. said. The Brooklyners and of Ebbets Field, their home.

SEE LINDVOLD DIXIE—DIXIE

Selling Entertainment As a Policy, One Factor— Another Is Cooperation Among Theatre Men and With Local Commerce Organizations

By GEORGE McCALL
(Ex-Varsity staff member who has been emceeing his own Hollywood unit)

If you are looking for the box office reports you will find them elsewhere in this issue. You won't see any reports from Columbia, S. C. Newport News, Va., Jacksonville, Fla. or kindred spots in Dixie, but believe me, the alibi is more important than the result, here in one section of the country where the alibi is necessary to explain why new records haven't been broken. That's news. The rest of the country has run on Dixie excuses for months.

Defense, reconstruction, army camps and hundreds of other reasons are given for the southern theatre slump of the Mason-Dixon line. They help, but they also have their bad points. I'll go down that list later. The south has always been noted for low wages and long working hours. Department clerks don't clock out until 6 p.m. Payrolls are higher but the working hours are just as long. Up in Dixie, one, one and one makes frequent excuses for bad business is that the workers are working too long. Hence they're not going to work.

Maybe theatre operators in the South are not selling their goods. Perhaps they are selling motion pictures in general as a source of entertainment—like a new scape. We played a town in the north where we asked to address the local club. There were 200 people in the town, under three different managements. The operator who brought the picture did not belong to the Rotary because he was a Republican. Neither of them belonged to the Kiwanis, because the other operator was a Democrat. That group. They preferred any reference to each other by questioning the democracy of his business.

I didn't run across any of that stuff in Dixie. Every theatre operator I met seemed to be more interested in his business as a whole, not just his theatre as an individual. They fight for their own interest, but their job seems to be selling the theatre as a place to spend a pleasant hour or two.

Trade Ass'n Co-op
Every town in the country has its Chamber of Commerce. That seems to be a must, whether you're in Gadsden, Ala. or New York. And incidentally, more about Gadsden than about New York. I've met a lot of men who try to sell his town. In the town there is usually an association committee of automobile mechanics, grocers, etc., who are vitally interested in pulling together to sell their town, but they're not. There is no association of theatre managers whose interest is selling their pictures. Oddly in Hollywood the Producers Association does that or other about the industry's welfare to benefit the public when matters such as Lana Turner's awards come out in the open.

That people are interested in motion pictures is not a rumor. They actually are. I talked to over 100 theatre clubs, talked to the members of such universities as Illinois, Drake, Florida and others. Approximately 150,000 population interested in over 600,000 people. They couldn't get enough of Hollywood. They had questions they wanted to ask at a time. Not silly questions—though there were many of them—but intelligent questions. They were vitally interested in the movie.

People in the tobacco and corn belt asked the same questions as those in other sections of the country. They were more interested in Gene Autry than elsewhere, but that indicates nothing.

Back to Gadsden. That's a good example of a small town. Chances are you won't find it on the map. It has about 15,000 population and three theatres. Where or how my manager dug it up I'll never know, but there it was an open

BEHIND THE GOOD NO RELEASE

No Do-Ra-Me's Here

Hollywood, June 3.
Ancient Greek show festival, the Etiosodion, one of the greatest in the world, will be represented by 80 Welsh singers in the 20th-Party production, "How Green Was My Valley," which is located in the coal mining district of Wales. John Ford, director, has 30 warblers thus far, and is arranging for three weeks of recording to go along with the picture.

Hollywood, June 3.
An overall summation of the industry's effort in support of seasonal work was supplied by Fred C. Harmon, coordinator of the motion picture committee cooperating for the defense, when he presided at the Ass'n of M. P. Advertisers luncheon meeting last week. He claimed that President Roosevelt left none of his auditors in doubt in his epoch-making tirade chat of last Tuesday (31) as to the importance of the picture acting in terms of the western hemisphere.

Harmon Reviews Film Industry In Nat'l Defense

Harmon contended that the attention of the film industry continues to be focused on our own continuing effort to achieve better understanding and closer cooperation between the 21 American republics.

Besides listing films released under the wartime committee, Harmon stressed the significant contribution of newsreels which "is too often taken for granted." Harmon stated that one out of six newsreel subjects during the second half of 1940 were related to national defense. Also presented in the survey was 25% of current newsreel clips picture activities bearing importantly upon the defense effort and contributed materially to national morale.

"During the past 10 months, the No. 1 film, according to Harmon, has been the civilian artistry at work in alpine factory, army and navy work. He stressed that the industry continued to dramatize effectively the skilled hands and trained eyes of master craftsmen in the industries."

Regarding production, the division head, Frank Frenzy, vice-president, Darryl F. Zanuck, vice-chairman, Harmon told the AMPA that the most important work bus far has been in the commercial field. He cited Columbia's "Spirit of 1941" and "The Sign of the Cross" as good examples. Columbia's picture was made at the direct request of U. S. S. I. Harmon stated that the industry is in placement of skilled civilian laborers in arsenal armories and Navy yards. He returned in terms of the Navy's service of supply.

Harmon also mentioned the increased number of military aviators in uniform as leading characters. Pictures dealing with tank and aircraft production are in production, with the wholehearted cooperation of the Army, according to Harmon.

In a non-theatrical field, he referred to 50 training films now being made in Hollywood under the leadership of the Research Council of the Academy of Motion Picture Arts and Sciences in cooperation with the War Relocation Authority.

"The U. S. Public Health Service, through the office of Lowell Mellett, recently requested the industry to produce a non-theatrical film on venereal disease, Harmon said, and the industry has undertaken the project. The Academy's Research Council on a non-profit basis, Zanuck's committee has agreed to produce a series of life at West Point, silent version of which was titled "Cade's Days" and "The Cavalry." The industry is producing distribution, the division headed by W. A. Scully, Harmon explained that more than 10,000 exhibitors.

Gentlemen of the Press

By MEL HALENGAN

Hollywood, June 3.
I was having my evening cocktail at the Rialto, a double martini, when Walker blask called with plain water. He laid a voice at my elbow ordering two more Martinis. I looked at him in the back bar mirror and there were Hank Wales and a girl. I said, "Have the first one." He said, "Hello, Bill," and introduced me to the girls. They were dressed for some party. I was sitting in an open flannel shirt that rich motion picture directors effect. On me it looked like a coat. I was wearing a hat and no bergairn if I wear tails plus Hank insisted on me hearing about the night life in Hollywood.

I fell like a horse in a garage. We had three or four more before I remembered I had ordered my drink at the lunch counter. "Who don't you sit with us," Hank said, and he didn't have to ask me twice. The girls gave me the signal and we sat down at a table.

Hadn't seen you since the night Bar Wagon threw the party for the Rough Club at Foyt's," I said to Hank. "Do you know what happened there?"

"Sure I do," said Hank. "You threw a party for the Grand Duke Boris for the first time in the city of London 27," reminded Hank.

Well Arno Dorsch-Plieur was to blame for the whole thing. He told Boris was sailing on my ship and that it might be a good idea to throw a party to give the boys a good sea on Jan. 13, the Russian New Year. I forgot all about it until the party gave me the eye. I had to take on some London passengers and Paul Gerard Smith was poured overboard. I told Hank that the girl was called on my ship and the dog waltz was put to bed. Eddie Goulding, the film photographer, was invited upon him to sing a song for us and Alan Dwan promised to come along. I was wearing a white tuxedo and honey-moon. It's like coming home from a hangover. A lovely gal named Gail was with me and she had me and she dug up a ukulele. Smith told me that if she would warble a few numbers that I would give her a strong drink. Miss Flynn was engaged to marry me. Kendall who owns the Capitol Building on Broadway but Paul didn't know it. He was a big gazer myself. Well we gave the party as planned and it was a big success. It was the best I ever had. It was colossal.

Well Hank Henkle

was with me. I had a couple of double brandies and got to talking about Paris. I told him about the picture I was making in Paris. He said, "The Ch' Trib about Sarah Bernhardt's funeral." That was the best story I ever told him. He said, "I heard about Gib, Floyd Gibbons, and the time we had in Paris and Berlin with Lindy Eyre in the picture." Webb Miller, Henningway and Barney Gallant were in town but we didn't get them away from the dome.

We got to talking about restaurants—Montaigne features, the restaurant of William the Conqueror at Lutes. The Cochon Au Lait over on the corner of Bank and the Auberge Du Ped Nun.

We opened another quart of brandy and got around to Georges Carpentier. The night in London gave me a letter of introduction to Paris. The boys missed the plane to Paris the next day.

I thought that Carr had been a French feather but he wasn't. He had been singing in Berlin and had been thrown into the sea. He was a big man. He had the King of the Cats. Misanquet was with me. He had been in Paris and he came back to Paris with a "Quatre d'oeuvre."

I had met about Nell Henry, Frankie O'Neill, Sparrow Robinson, Franklyn Lyman, Roy Barton and Dick King. Hank called me and said, "The Hank called me and said the man of the War Relocation Authority shouldn't be. We remembered the night Edwina Wynne took to the U. S. Army with Gerry." I said, "Lettelier's box and Billy Doyle kicked the Algha Khan in the wall. I had a story about the same thing. I've Sarah's last name was a lulu."

"It was a good story," he finally admitted. The paper got a lot of mail on that one, but let me tell you a little secret—the story had my name on it. The paper got a lot of mail on that one, but let me tell you a little secret—it was written by a lad who was working for me—a man named Vincent Sheenan."

Drattee Kim Swell B.O. on Weekend In Dixie Invasion

Spartanburg, S. C. June 3.

Dixie saw more money over the past week than at any time since the Confederacy stopped printing its own bills. With the south sport, Dixie has been practically everywhere. Dixie practically everywhere and sweeties of recruits rolled in from the north like waves in special trains, extra buses and hordes of cars.

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And it was all surprise, too. Memorial Day, it must be remembered, is not a holiday in the north. It is the day of the Mason-Dixon event—which yields the same sentiment but hardly the cash of the northern holiday.

Tarkington-Warner Settling 'Peard' Tiff

Booth Tarkington's suit against Warner Bros. is in the process of being settled. The actor has received \$100,000, claiming the film company made "Peard and His Twin Brother" not based on any story of his.

The film company as its defense associates the public associated it, and not Tarkington, with the character of Peard, as a result of which the actor has made of that character. The settlement is understood to give Warner Bros. the right to use the name of Peard and also gives the actor some money, the amount of which has not yet been disclosed.

BAPPER'S REWARD

Hollywood, June 3.
Irving Ripper draws the director chair on "On the Beach" at Warners as result of his recent job on "Shining Victory."

Fred Astaire and Olivia de Havilland are in the top spots.

Studio Contracts

Hollywood, June 3.
Fred Zinneman inked new contract as shorts director at Metro.

Mary Jo James drew player ticket at Warners.

Marvin Borowsky signed as junior writer at Metro.

Jack Otterson, chief art director, drew a studio's option for year.

Stephen Morehouse Avery's option lifted by Edward Small.

John Ford inked player deal at Metro.

Donna Drake's acting option hoisted by Warners.

Anatole Litvak renewed contract at Metro.

Francis Neill's minor contract with RKO annulled by Superior Court.

Lynne Overman drew two-year ticket at Paramount.

Ray J. Barry inked scripter contract at Republic.

Ray Jones signed new deal as screenwriter.

Stephen Morehouse's still photography staff.

John Whitehouse became contract scripter at Metro.

Lauris Douglas former fashion designer inked player contract by Paramount.

Smiley Burnette's option renewed by Paramount.

Ray J. Barry inked new contract at Republic.

Richard 'Hyvel,' boy 'planner,' inked new contract at Republic.

Len Lym's player option hoisted by Republic.

George Gabby handed a new acting term at Metro.

George (Gabby) Hayes optioned at Republic.

They're At It Again

Hollywood, June 3.
Les Godwin is making a gang plan in "The Marines Are Rec'd," directed the new friend between Victor McLaglen and Edmund Lowe at RKO.

Currently Godwin is plotting the picture "Lon' Epping Seas a Ghost," on the same lot.

Rosemary Lane to Legit

Hollywood, June 3.
Rosemary Lane makes her legit debut next fall on Broadway in "The Sign of the Cross" to be produced by George Abbott.

Actress is currently on vacation in California.

Is That the Answer?

You can't ask defense workers to put in another half-day shift in the picture houses. That was the answer of one exhibitor here to the reason why hundreds of thousands of mechanics, pulling down goodly earnings in the picture houses in Detroit, are conspicuously absent from the boxoffice of the town's theatres going solidly to double features.

"You can't expect a guy, after putting in eight hard hours in industry, to go home, clean up and then spend another four hours working through two pictures," exhibitor said.

However, nobody in Detroit is breaking with tradition which produces neat lines of everybody offering bargains but all the bargain hunters staying away.

Deadlocked Jury Ends Judge Davis

Wm. Fox Case; New Trial in the Fall

Philadelphia, June 3. Judge J. Warren Davis, retired member of the U. S. Circuit Court of Appeals, and Morgan S. Kaufman, former bankruptcy referee, will have a new trial early in the fall on charges they were involved in a conspiracy in which William Fox, film magnate and head of the studio, was alleged to have given the jury \$27,500 in "loans" while Fox's bankruptcy litigation was pending in Davis' court. Their first trial in Federal Court here ended Thursday when the jury became hopelessly deadlocked, six-to-six, and they were discharged by Judge Robert N. Pollard.

Walter H. Gaghan, Jr., special prosecutor and nephew of screen writer Helen Gaghan, who was arrested (Monday) said his request for a new trial at an earlier date had been denied because Judge Davis, specially assigned to the case by the U. S. Supreme Court, had a full calendar in his home court at Richmond, Va. The jurors explained later that many had been confused by the judge's charge interpreting "conspiracy." At first they stood seven to five for acquittal. Later on they swung toward conviction that they were deadlocked. At 10:30 p. m. Thursday night they notified the Court they couldn't agree. Now he's back but not on routine. As vice-president of the new Odéon theatre circuit, he has been having holding conferences, and out of these have come the acquisitions of the Casino, in Halifax; Capitol and Empire, in Moncton; Strand in Sydney, Capitol, St. John's, Newfoundland, and, with likelihood, at least one Odéon theatre for St. John, and possibility of affiliation en bloc with Odéon by the Franklin & Herschorn circuit of Mayfair and Regent in St. John, Community in Yarmouth, and the Dundas, P. C. & Family and Community in Halifax. Robson, on his surprise tour, was taken from an airways plane at Moncton to St. John by car for a conference by J. M. Franklin, top man of the Capitol theatre.

The Casino, Halifax; Capitol and Empire, Moncton; Capitol, St. John's, have all been built and equipped on fastidious lines for R. J. Winter, the owner, who has transferred the equipment made the transfer to Odéon. At Moncton, F. W. Winter, owns and operates the Capitol theatre, one of two-thirds of the local theatre crop.

Winter had both his houses with the Capitol theatre. He continues as resident manager of both. At Sydney, E. L. Lynn, has been St. John's, and at Moncton, he continues as manager. The St. John's Capitol has M. A. Gilligan, ex-Farmington Canadian, as major owner. He is now an ex-employee with Odéon.

Wilcox, Neagle in New Combo Deal With RKO

Herbert Wilcox and Anna Neagle are making a new deal with RKO as a producer-star combination. Originally signed for 'Nurse Edith Cavell,' the pair has finished three other pictures on RKO lot, last of which was the musical 'Sunny.' The others were 'Irene' and 'No, No, Nanette.'

Sonja on Ice

Hollywood, June 3. Sonja Henle may forego pictures for a spell and combine herself to other activity in rink around the country. She washes up her 20th-Fox deal with the Valley-Sun studio in production, and while other offers are being weighed, skater is said to prefer blade work.

A Relief Both Ways

Philadelphia, June 3. Boxoffice has withered so in Philly, one exhib here is virtually moaning for the 'good old days,' when most of his customers were on release said he.

"At least than they didn't have anything to do all day and would come in for kill time. They all ways had enough money for at least a 15c matinee."

NATHANSON'S ODEON AND CAPITOL THEATRES

St. John, N. B., June 3. For 31 years, Clarence Robson, of Toronto, as theatre supervisor for Famous Players-Canadian, made a routine inspectional tour every three months. Now he's back but not on routine. As vice-president of the new Odéon theatre circuit, he has been having holding conferences, and out of these have come the acquisitions of the Casino, in Halifax; Capitol and Empire, in Moncton; Strand in Sydney, Capitol, St. John's, Newfoundland, and, with likelihood, at least one Odéon theatre for St. John, and possibility of affiliation en bloc with Odéon by the Franklin & Herschorn circuit of Mayfair and Regent in St. John, Community in Yarmouth, and the Dundas, P. C. & Family and Community in Halifax. Robson, on his surprise tour, was taken from an airways plane at Moncton to St. John by car for a conference by J. M. Franklin, top man of the Capitol theatre.

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SCHUNZEL'S 'VICTORY'

Reinhold Schunzel moves into director spot on 'Strange Victory,' to be produced by Sol Lesser for United Artists.

Martha Scott has top femme role and William Hurlbut is doing the screenplay.

DEFENSE BOOM

There Doesn't Seem to Be Any Answer for Shrinking Film Grosses, Yet Virtually Everywhere the Situation Is the Same

KEY CITIES REPORT

Exhibs, whose reputation is apparently only second to nitery operators for thinking up alibis for bad biz, are for probably the first time in history, currently stuttering. They have a hundred reasons for the sagging, but not one that they even half believe themselves. They just doesn't seem to be an answer to steadily shrinking grosses in face of enormous defense spending and boom in other industries. Yet, virtually everywhere the situation is the same. Here's a roundup from some key cities.

San Francisco—This is one of the Coast's shipbuilding and industrial centers and even during the depression throughout the rest of the country, was one of the better sections. Here the b.o. has been shrinking for months and continues to do so.

Philadelphia—With more than \$1,000,000,000 in defense orders being filled there, some exhibs are suggesting that the hours are too short over the overtime to get to a theatre. Twilight baseball, golf and "depression" are other reasons ascribed for empty seats.

Buffalo — Much whistling thinking about the future, but no one is showing at the b.o. here for the vast industrial payroll built up by defense orders.

Minneapolis — Department store volume is up 14% above a year ago, but theatre grosses are down 15%. One exhib takes a reverse slant: "Think how bad it would be if it weren't for the defense spending."

Pittsburgh—Steel's defense surge is apparently oozing out to other sections with theatres, with no sign of the dough at the shrivelling b.o. Draft siphoning off all the swains is advanced as one reason for the slack.

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Portland—A 29% hike in payrolls this year has accounted to date for nothing more than a 10-30% drop in grosses. With new and used car sales and housebuilding booming, scientifically-minded exhibs are pointing to a social-economic situation in which people are passing up luxuries to stock up on essentials.

San Jose—Here's a pretty sight, and the only one in view, is the good, that with soldiers, sailors and marines pouring in to protect one of Uncle Sam's prime assets.

Change Photos as 'Yearling' Costs Mount to \$2,000,000

Hollywood, June 3. King Vidor the new director of 'The Yearling,' one of Metro's high-budget productions, replacing George Cukor, has changed the film's early scenes on location at Ocala, Fla.

Change is understood to be the result of mounting costs, which are approaching the \$2,000,000 mark, and severe difficulties in the Florida film, which still requires three more weeks of shooting.

Par's Sequoia Budgeter

Hollywood, June 3. One of the high-budget programs in Paramount's 1941-42 program is 'Foggy Rangers,' to be filmed in Technicolor.

Fred MacMurray, Preston Foster, Stirling Hayden and Patricia Morrison head the cast.

Wage Demands of 10,000 Studio Technicians Has Film Producers Worried; Casey Summoned to Coast

CIO to Move In?

Hollywood, June 3. The workers are incensed over the extortion charges against George E. Browne and Willie Bioff, and openly announced they did not want the IATSE (AFL) to interfere in their negotiations. There has been some talk of demanding that all International officers resign and that a special convention be called to select new officers.

Several of the leaders also are known to have been in conference with officials of the Congress of Industrial Organizations, with the idea of making a quick move out, unless the IATSE will stand fast by the International to take over.

ONE FILM UNION ASKS BROWNE, BIOFF OUT

Hollywood, June 3. A resolution calling for the resignation of Willie Bioff and George Browne was passed Monday (2) by the Motion Picture Studio Set Electricians Local 728. Also included in the plank-walkers would be all IATSE-appointed officers.

Bioff appears Thursday (5) before U. S. Commissioner David Head for a hearing on the removal order to N. Y. to face trial on the extortion charge. He is expected to waive extradition and ask that the \$25,000 bond be continued pending his appearance in the N. Y. Federal court.

GREEK RELIEF TOPS \$850,000 FROM AMUS

In excess of \$850,000 was raised by the United Relief and Amusement industry division, Adolph Zukor, chairman, announced Monday (2). This does not include the money snared on the Coast by the committee headed by Samuel Goldwyn, which probably hoards the total which the film business raised is more than \$1,000,000, it was stated by Zukor.

More than 8,000 theatres participated in the drive, being the largest number ever enrolled in such a drive in the film business. The amount collected far exceeded that of any similar cause by the industry. Of the money raised approximately \$800,000 was cabled to Greece and used in buying medicine, clothing and food. Much money also was used in evacuating more than 1,000,000 women and children before the Axis power arrived.

Pommer Threatens Suit If RKO Cancels Pact

Hollywood, June 3. Erich Pommer is the instigator of an action against RKO if the studio carries out its threat to cancel his producer contract. Two weeks ago he committed to make under the remainder of his pact have been handled by the studio. Pommer Studio claims that Pommer's illness is delaying production of his pictures and, it is understood, will demand termination of his contracts.

Hollywood, June 3. Demand of 10,000 studio technicians for immediate opening of negotiations on wages and conditions has led the producers a bad case of jitters. The major companies are willing to talk contract relations with the local unions, but want to get the go-ahead signal from the International Alliance of Theatrical Stage Employees to guarantee that any deals they set will not be kicked away by the internationals. That old bugaboo about jerking theatre projectionists also is causing them to move cautiously.

Pat Casey, producer labor contact, is reported rushing to the Coast to handle the situation. A hurry-up call for his services were telephoned when Y. Frank Freeman received a letter from IATSE stating they intended to handle their own negotiations, without any aid from prexy George E. Browne and other national officers of the IATSE. Freeman said he will call all IA contacts with the national officers and the workers themselves have had little or nothing to say about the deals.

Negotiating committees for 10 IATSE studio locals met tomorrow (4) night to formulate plans for an immediate hurry-up with producers on the new status. The IATSE has already met with Y. Frank Freeman, Producer's association head, on his move deluging the IATSE with a letter of Fred Pelton for setting up the structure for a basis of settlement of differences.

IA leaders insist on dealing directly with studio heads, fearing that they will be immediately overtaken when the slack period sets in. Casey is due here from New York Thursday for a stopover at Chicago for contacts with union heads there.

In a letter to the studio union heads, the IATSE has stated the only reason that it and fellow executives cannot sit with you during negotiations is that we lack information on our part or the failure to reach an agreement on the negotiations, but is due to the fact that we have our studios to operate and manage. It is a privilege to attend personally the many negotiating meetings that must be held.

Locals are demanding a "hands-off" policy by the International in effecting a new contract for workers.

When an immediate meeting of the producers spent several hours in conference, and then called in the afternoon. The IATSE representative is said to have contacted Goldwyn at his San Francisco Valley ranch to learn whether it would be okay for them to talk with the locals, but efforts all have been made to get the word out that that time was surrendering in Chicago on an extortion charge. He is expected to arrive in Chicago on Thursday.

The situation finally was checked up to Pat Casey, with a request that he leave for the Coast at the earliest moment possible. He was reported to have trained out yesterday (Monday) and will be in Hollywood on Thursday.

Conference of the locals to go on their own was reached at a conference of IATSE business representatives called by chairman Harold V. Smith, business agent for the studio Technicians. The group of business representatives was expected to include three additional members from each union. A committee also has been appointed.

Slumming With Gable

Hollywood, June 3. "Honky Tonic" Garret, Frank Gable and Lana Turner, rolled yesterday (Mon.) at Metro, with Frank Sinatra and a host of other stars. Jack Conway is directing.

Product Once More Hypocis Chir; Wings-Vaude Fly to 45c, 'Blood' \$15,000, 'Sunny' 12 1/2c, Kane OK

Chicago, June 3. Grosses around the loop area are a better factor for a month than for a long time. Basically, there is a real line-up of product starting throughout the loop... Chicago, June 3. Grosses around the loop area are a better factor for a month than for a long time.

cellent \$5,000. Last week 'Hamilton Woman' (A) (2nd run), sorry... Lyric (RKO) (1,400; 31-40-50)... 'Blood' (RKO) (2,800; 31-40-50)...

First Runs on Broadway (Subject to Change)

Week of June 5 Astor—'Major Barbara' (UA) (4th wk)... Follies—'Fantasia' (Disney) (80th wk)... 'Love Crazy' (M-G) (Revived in Variety May 14)...

Memorial Day Weekend Boosts B'way With 'Serenade' \$90,000, 'Wings' 50c, 'Blood' 45c Leading Ace Holdovers

Memorial Day weekend gave the holdovers on Broadway a shot in the arm... 'Serenade' (M-G) (2nd run) took \$90,000... 'Wings' (RKO) (2nd run) took \$50,000...

Last Saturday when 'Voice in the Night' (Col) faltered in second session... 'Serenade' (M-G) (2nd run) took \$90,000... 'Wings' (RKO) (2nd run) took \$50,000...

Duchin Blows Flame' To \$18,500, Cleve.; Bally Helps 'Wings'

Cleveland, June 3. Eddy Duchin's orchestra, winding up Palace's vaude act... 'Blood' (RKO) (2nd run) took \$18,500...

Estimates for This Week Apollo (B&K) (1,900; 35-55-65-75)... 'Blood' (RKO) (2nd run) took \$18,500...

Weather Aids Bako; 'Crazy' 15c, 'Blood' \$8,000, Rest Solid

Baltimore, June 3. Rain and bright weather kept them in town here over the weekend... 'Blood' (RKO) (2nd run) took \$8,000...

Estimates for This Week Astor (1,012; 30-40-55-85)... 'Blood' (RKO) (2nd run) took \$8,000...

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Omaha Better Despite Heat; 'Blood' Leader

Omaha, June 3. Omaha theaters successfully fought off the usual Memorial day events to give the current week a lift in the form of hot weather... 'Blood' (RKO) (2nd run) took \$18,500...

Holiday Exodus Blasts Philly; 'Crazy' \$17,500, Broadway 'Sour'

Philadelphia, June 3. Judging from the h.o.'s at downtown deluxers, nobody was in town over the Memorial day weekend... 'Blood' (RKO) (2nd run) took \$18,500...

Rain Helps Mpls. B.O.; 'Face-Fight' Film TIC

Minneapolis, June 3. Rain and cold the day before and during Memorial Day were a boon to the business... 'Blood' (RKO) (2nd run) took \$18,500...

'WINGS AND BLOOD' EACH \$11,000, CINCY

Cincinnati, June 3. Holiday-padded weekend took several months of slack out of the general business... 'Blood' (RKO) (2nd run) took \$11,000...

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NATIONAL B. O. SUMMARY

Cool Weather Plays
Detroit, 'Blood' Wow
266, 'Wings' \$17,000

6 New Strong Pix Hypoing Anemic Boxoffices—'Wings and 'Blood and Sand' the Best—Powell-Low, Crawford OK

'Crazy' \$36,500, Two Hub Spots; 'Blood' 186, 'Flame' Fizzles
Boston, June 3.
'Love Crazy' is turning in the best bit in town this week and easily out-

The ideal theater day, once described by a Bronx exhibitor as a holiday that is cool and damp and looks like a hot day in the sun for many exhibitors, is now being encouraged areas over the past week and...

In initial engagements, being held over in nearly all spots. It opens tomorrow (Thurs.) on Broadway at the Capitol, and in the afternoon at the Fox, White and...

Estimates for This Week
Boston (RKO) (2,200; 28-34-55-65)
'Paper Bullets' (Frod) and 'Gay and Beautiful' (Rep), both continued run from Met.

Best of the group is 'I Wanted Wings' (Par) which is acting like a shot in the arm for many exhibitors who are taking full advantage of its military exploitation possibilities and profiting proportionately.

Metro's other starer, Joan Crawford in 'A Woman's Face' is a much stronger attraction than trade estimates had it after previews and first showings. It has stood up for three weeks in San Francisco, three in New York, and completed holdovers in Cincinnati, Providence and Chicago.

Fantasy (M&P) (1,378; 28-34-44-59)
'Wanted Wings' (Par) and 'Shot in the Dark' (WB) (both continued run from Met.) above par \$6,000.

Next in strength is 'Blood and Sand' (20th-Fox), the Technicolor-lit special starring Tyrone Power in 'Blood and Sand' (Vista 80).

In the offing, with a few scattered showings during the week of a good boxoffice material in the form of 'In the Navy,' new Abbott-Costello comedy from Universal. None of the big first runs (except 'Blood and Sand') were sold advance against their sale.

Metrolite (M&P) (1,014; 75-100-100)
'Majestic' (Shubert) (1,014; 75-100-100)
'Kiss of the Spider Woman' (RKO) (1,014; 75-100-100)

Love Crazy (M-G) (2,200; 28-34-55-65)
'Love Crazy' (M-G) and 'Rage and Heaven' (United) (2,200; 28-34-55-65)

There was war then, too. And a public that flocked to theatres—when the marquee looked inviting.

'Paranormal' (M&P) (1,197; 28-39-44-58)
'Wanted Wings' (Par) and 'Shot Dark' (WB) (both continued run from Met.) above par \$6,000.

PORT. CHIPPER: 'BLOOD' \$8,000, 'B'CAST' \$6,800

'FACE' \$7,000, MONTREAL 'CRAZY' LEADS STRONG K. C. WITH BIG \$11,000

KID BREEZY \$13,000, BUFFALO STRONGER

Portland, Ore., June 3.
Music Box, usually second run house, is in the chips this week with 'Fantasia' at roadshow prices.

Grosses running somewhat below average. Best take being registered by 'Fantasia's Face' at the Palace.

Buffalo, June 3.
No peaks in evidence this season's landscape, but the general upsurge is raising the numerals to startling altitudes at gates.

Estimates for This Week
Boston (RKO) (2,200; 28-34-55-65)
'Wanted Wings' (Par) and 'Shot Dark' (WB) (both continued run from Met.) above par \$6,000.

Palace (CT) (9,700; 30-45-82)
'Face' (M-G) (7,000; 30-45-82)
'Kiss of the Spider Woman' (RKO) (1,014; 75-100-100)

Estimates for This Week
Buffalo (Shea) (3,355; 33-55-61)
'Kid Breezy' (M-G) (3,355; 33-55-61)

Paramount (Hamrick-Evergreen) (3,100; 33-40-50)
'Paranormal' (M&P) (1,197; 28-39-44-58)

Equipe and Uptown (820 and 820)
'Blood Sand' (20th-Fox) (2,200; 28-34-55-65)

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Holiday, Product Help Frisco: 'Blood' \$17,500, 'Navy' \$15,000, 'Kid' \$13,000

San Francisco, June 3. With Saturday picture holiday and banks closed, Frisco houses faced a three-day Memorial week...

Key City Grosses

Estimated Total Gross This Week ... \$1,683,600 ... Last Year ... \$1,573,000

Visitors, Rain Boost

Wash.; 'Baby-Vaude' \$18,000, 'B'cast' 176,000

Washington, June 3. Heavy influx of holiday visitors, biggest since church ceremony...

Estimates for This Week Capitol Hotel (3:30; 29-30-31-66) 'Broadcast' (20th), plus stage show...

Estimates for This Week Capitol Hotel (3:30; 29-30-31-66) 'Broadcast' (20th), plus stage show...

'Blood,' 'Wings' \$3,500

Tie for Lincoln Lead

Lincoln, Neb., June 2. Town's theatre coin this week is undergoing a three-way split...

Estimates for This Week

Cosmo (Monroe-Noble-Federer) (19:00; 10-15) 'On Trial' (WB) and 'Saddam' (RKO)...

Lucille Ball Tops

Hollywood, June 3. Lucille Ball, the star role in 'Fugate to Bordeaux'...

'B'CAST' 96, DENVER

'Crazy' 2d Good \$8,000 - 'Labor' H.O. 676G Denver, June 3. Broadcast at the Denver American most money.

Aladdin (Fox) (1:00; 25-40)

John Doe (WB), after a week at the Denver, make...

Broadway (Fox) (1:00; 25-40)

Balalaika (M-G) and 'Northwest and South' (M-G), foot \$2,000...

Denver (Fox) (2:25; 25-35-40)

Broadcast (20th) and 'Strange Alibi' (WB), gross \$9,000...

Orpheum (RKO) (2:00; 25-35-40)

Paragon (Fox) (2:00; 25-40) - 'Fires' (WB) and 'Baton' (WB)...

Seattle Turns The

B. O. Corner; 'Navy' \$8,700, Rest Okay

Seattle, June 3. Biz at the showshops, which has been off since Easter...

Estimates for This Week

Blue Moon (Hamrick-Evergreen) (8:00; 30-35-40) 'Navy' (M-G)...

Estimates for This Week

Orpheum (Hamrick-Evergreen) (8:00; 30-35-40) 'Navy' (M-G)...

Burton Deeds 20th

Hollywood, June 3. David Burton wound up his role as writer-director...

L.A. Goes to Pieces; 'Blood' Okay \$27,000, Two Spots, Baby Poor \$13,500, Sophie Hies 'KO' to 1G

Los Angeles, June 3. Three-day picture holiday...

State theatre, with 'Blood' and 'The Dawn'...

Estimates for This Week

Carthage Circle (F-W-C) (1:15; 8:30-11:15) 'Fantasia' (Disney) (16th) wk...

Pitt. Flourishes In

Rain; 'Baby-Vaude' 174G, 'Wings' \$15,000

Pittsburgh, June 3. (Best Exposition) Penn. State Fair...

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Broadway Grosses

Estimated Total Gross This Week ... \$314,300 ... Total Gross Same Week Last Year ... \$277,700

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DEFENSE WORKERS HELP L'VILLE; 'NAVY' \$9,000

Louisville, June 3. Biz is holding up well, and today this week, considering the hot weather...

Estimates for This Week

Brown (Lew's-Fourth Avenue) (1:40; 15-30-40) - 'Wanted Wings' (Par)...

Estimates for This Week

Kentucky (Swiftow) (1:00; 15-25) - 'Bishop' (M-G)...

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F.D.R. WAS TOO TOUGH OPPOSITION FOR B.O.

President Roosevelt's historic address last Tuesday (27) night scolded...

“I READ IT IN VARIETY”


Not in many years has news of show business been so exciting, important and intensively read.

The seasonal boxoffice barometer may be below par for the moment, but the amusement industry in each of its fields is making history in the background of major world events.

For instance, take last week's issue of VARIETY. There were:

- 408 full-length, headline stories.
- 70 Reviews: films, radio, vaude, legit, bands.
- 24 special charts and data features.
- 364 items too brief for special display.

This information came to VARIETY from 58 American towns and cities, and 15 foreign capitals. Unquestionably the most extensive collating of original information in any weekly newspaper in any trade. Not publicity. But news. From Variety's own sources.

VARIETY is the only internationally read newspaper of the show world and show people. It is on sale at newsstands everywhere. The familiar flying  holds a prominent display place week after week, in competition with hundreds of general and special publications. It is where busy people everywhere may buy it. Such prominence must be earned from newsdealers; not purchased by premiums.

There is no better guarantee for an advertiser than intensive readership of a publication's editorial content. Advertisements placed beside such vivid text command attention.

VARIETY

NEW YORK
154 West 46th St.

HOLLYWOOD
1708 No. Vine St.

CHICAGO
54 W. Randolph St.

LONDON
8 St. Martin's Place

American Films Played to Tatters In Nazi-Controlled Countries, Says UA's Kastner On Brief Visit to N.Y.

American films are so favored over those of the Axis powers that even in completely dominated countries old Hollywood prints are played until they are in tatters, says Lacy W. Kastner, UA's Artistic European sales manager, revealed on his arrival in New York from Lisbon on Monday (8). He'll probably remain in this country several weeks.

Even in Spain, practically a German and Italian annex, films made in the latter countries are played by exhibitors only when there is no American product available, Kastner said. There are no provisions, of course, for new prints.

Kastner, who headquarters in Lisbon because mail and films can be sent and received there from all the countries of Europe, said prints are being shipped to practically all nations of the continent except Germany and Italy. Some money is being received from even the Nazi-occupied countries, he said.

Big Good Business. UA chief declared business in Europe can be sent and received there from all the countries of Europe, said prints are being shipped to practically all nations of the continent except Germany and Italy. Some money is being received from even the Nazi-occupied countries, he said.

Business, the UA chief declared, is good. Most countries have the more trouble Europeans have the more they want to see films, even if they expect to divert them. He expects to see a boom in countries providing no income whatsoever and others freezing coin, the latter from European currencies, minimal compared with pre-war days.

Portugal, with all the refugees and business people of Europe pouring through it, has shown a tremendous increase in grosses, foreign sales he said. He expects to get more now getting more from the first-run of pix there than it used to get from the entire country. Sweden and Switzerland are the next best countries, Kastner said, but even so, the income from all three is negligible.

UA, he revealed, has a deal under negotiation in Spain, but probably won't accept it, by which the Spanish government has offered to allow it to import five pic titles a year in the country. No receipts of the five could be removed, but all the titles obtained outside of Spain from one film made there would go to UA. Similar deals have been offered there for a total of 13 American pic, including "Quilvers Travels" (RKO) and "Stage White" (RKO), and 13 English and other foreign pic.

Negotiations are on the rocks, however, because Spain wants to put a tax of 25,000, 50,000 or 75,000 pesetas on each imported production. Its estimated income at the b.o. film companies object on the basis that the imposition of the tax would be arbitrary and inequity done.

UA PLEDGES TO KEEP OPERATING IN BRITAIN

United Artists concluded its first war-time sales convention in London last month, with the parity in pledging to maintain operations in Great Britain.

W. Carr, joint managing director for UA, presided. Besides London officials, branch managers and executives from Birmingham, Liverpool, Manchester, Newcastle, Dublin, Glasgow and Cardiff sent representatives despite continued German air attacks.

Ban Columbia's "Love" Sydney, May 23. Censor O'Reilly has banned Columbia's "This Thing Called Love" because pic treats marriage too lightly.

Gaumont Circuit Nets 100G for Navy Contracts

LONDON, May 15. Gaumont-British circuit's drive for collections to go to Naval charities resulted in a \$100,000 fund.

Under Arthur Gerrard, G-B chief and himself an officer in blue, year's work has seen over a 170,000 knitted garments handed out, 6,000 books and some millions of smokes.

14 Studios Busy On Propaganda Pix for British

LONDON, May 15. Spoken for by the Ministry of Information has announced his film department had propaganda keeping 14 studios going in reply to a question in the House recently. MOI stuff is mainly bribe, but does employ many w.k. names from pictures and legit.

Leslie Howard has just completed two-year contract for production is spread around between the shorts makers, little of it being taken up by the indie feature bunch. Government's own Crown Films Unit also gets a large slice of the trade.

Question to MOI was put by Captain J. M. Cunningham-Reid. He wanted to know if MOI propaganda films were not actually stifling the industry due to call on technicians, who aren't plentiful. In his opinion, feature films were worth more to the British propaganda than the lobby stuff. Point was denied.

Another angle to this government job is the reported requirement for sites now demanded for studio space. Property owners in some cases are understood asking double and more over-pre war terms.

'49th Parallel' to Col. For World Distribution Except Britain, Canada

LONDON, May 15. Deal for world rights—outside of Britain and Australia—on "49th Parallel" has been completed with Columbia reputed to have handed out \$150,000 to Orca production. Picture stars Leslie Howard, Laurence Olivier and Arthur Woodcock. Its outdoor footing was shot in the Canada.

"49th" ran into a barrage of comments early days. It's been in production since June, 1940, and carries some \$100,000-\$200,000, but likely went to \$800,000. Much was also responsible for "Contractors", an earlier U.S. buy.

Sweedes, Swies Can Take It. United Artists will distribute "Contractors" in U.S. Queen Reynolds narrated reel, in both Sweden and Switzerland despite German leaflets in these countries, according to Walter Gould, UA foreign chief.

West End Closes for About 8 Weeks

Shows Are Closes on Tour Since Overhead Is Negligible and Returns Hefty—Clicks in London Only Draw for About 8 Weeks

NOBLESS OBLIGE

LONDON, May 15. London's West End, former cozy and affluent home of legit, is now rateable in b.o. terms at a few meagre weeks. That about amounts the opinion of the managers and backers.

Stage is apparently leaning toward the road. A production here is a risk whereas on the road it's a cinch; overhead there is negligible and it returns hefty. Even a "click in London" and there are a few clicks will draw them for about eight weeks; getting the money back at that time is hard going. There just isn't the patronage.

Experience of what might be called the past season does not help in supporting that view. For the West End it's mainly been a question of keeping a house warm. The Wyndham outfit followed such a plan with their major theatre, holding an intimate revue for several months. It paid the cast and the house obliged by losing the show. All very nobleless, oblige. It kept the taxes down, at least.

The H. M. Tennent-John Glasgow, manager of the Globe, is fair to offer what could not be done in proceeding. "The Dan and the Girl" has a cast of stars a production could rarely afford, but under present conditions that would be occupied and in the public eye, plus the theatre lighted.

Awailing War's End

When the London stage shows would have made much difference is doubtful. The "Private Ticket" has a roster of about 75,000 members. They're keeping the books nicely sorted away for when the war's over. Their opinion is long of that membership isn't in London now because of evacuation, and the remainder are "occupied" in defense work.

But the road offers a different picture. E. G. Killick (Payne-Fenmaggs and Killick) has five shows out. Comedy theatre here, of which he's manager, is kept open to show shows others may care to take a chance on. There has been no bid, and he's ready to take it back. So far the Comedy has housed most of the newcomers to West End legit, their average run being six weeks. Income took care of the crew and staff and kept the taxes down. "The Dan and the Girl" is being kept in the house, but is met with another snag. "The Dan and the Girl" is being kept in the house, but is met with another snag.

British Film Row Discredits Talk of Gov't's Plan to Aid the Industry

LONDON, May 15. Long-awaited announcement from the Board of Film Censors that the British film industry has come in Parliament, with prey Captain Layton, has done little to help the industry to sustain picture-making this side of where it would enable renter to subsidize to fulfill their quota obligations.

BOI chief gave no outline of any plan for the industry. He said the opinion pronounced was by another staff. It had been expected there'd be a cut-and-dried formula

New Regulations in Spain Virtually Kill Importing of Foreign Pictures; Plan Setup as Home Industry Aid

Nothing to Manage

MADRID, May 15. New regulations, which will practically kill the importation of all foreign pictures in Spain and considerably stiffen the already high amusement tax regime, have just been announced.

The Sindicato Nacional del Espectaculo has proclaimed a series of new film measures obviously aimed at helping the stagnant local industry. Instead of an outright ban on foreign pic, as was done in Italy and Germany, the Spaniards have demonstrated a little of the well-known "flexible authority" by taxing the non-Spanish product to death.

Henceforth, foreign long-footage pictures will be classified into three categories according to quality of story, talent and direction and its new film measure obviously aimed at helping the stagnant local industry. Import licenses of 75,000, 50,000 and 25,000 pesetas will be provisionally granted to films imported if they are an exhibitor. If he's a distributor, the import licenses will be 50% more than listed above. These are only provisional since the Sindicato may boost the licenses by 50% over the 25,000-peseta maximum license.

More Control Over Pix Given To Vichy Gov't

Vichy, May 15. New measures giving government more complete control of the film industry have been announced. The new laws are items in the long-dead "Film Statute" which never succeeded in getting by.

Dualistic programs have been legally killed; programs have been limited to double footages and fixed rental outlays.

Raoul Folin, president of the newly established Comité d'Organisation, announced that only one program per year will be permitted henceforth in the free zone. He also decreed that no contract between distributors and exhibitors will be valid unless film rental price is on a percentage basis for all six major 600 meters. Third item of the decree calls for limiting programs to 400 meters with newreels excluded and with only one film exceeding 1,300 meters maximum with feature limited to 1,300 meters.

Benefit of the new order are that authorization to produce pic in free occupied zone will require previous permission of the German occupants. Synopsis of the scenario must be sent to Paris—one copy in French and two in German—for study.

CINEMA WORKERS DEAL

LONDON, May 15. New agreement on Sunday hours, wage and conditions has been inked by National Ass'n of Kinema Employees marking a victory since drop in production schedule. "Trade" Midlands deals are now being sought.

handed to the trade, including details of what would be released to the public in terms of supply and technicians. Player shortage is now acute on the main end.

Question of maintaining production up to quota is itself hard to interpret, since past year has seen a drop in production schedule. "Trade" had already been given to understand it would have to be satisfied with a production schedule up to only to this past year. BOI's contention was that this plenty

As far as the regulation concerning the ban on showing of pic in free zone which was struck off as radical as it sounds, since the huge majority of foreign pic's imported there are imported as sound tracks dubbed in. It reported that Madrid will have one pic imported in the form of prints in original version as Rome has for many years.

The deal was announced in effect, April 15, sock job seekers with an additional 60% on drinks in cabaret. It was also reported that 30% for showcase, variety, revues and similar public spectacles, although drama, comedy, musical comedy and opera are exempt from any taxation. Boxing and other games where public betting is permitted will be taxed 30%. Other sports fixtures will be taxed 10% for high-price seats. Taxes also affect luxury films with an additional 30% on the gold, silver, platinum and other de luxe items, rings, carpets, and similar luxuries.

Toothpaste is exempt. No mention is made of soap.

'Actresses Will Happen' N.G. in London Bow

LONDON, June 3. "Actresses Will Happen," introduced at the Apollo, was well received by a holiday audience.

Actresses Will Happen, which is generally rated as unlikely to stay long.

Everybody likes our "Baby"!



Biggest comedy grosser
of the year at Stanley
Theater, Pittsburgh

"A chorus of sustained
laughter not heard in
months!"
—M. P. Herald

"Destined to capture consider-
able quantity of its title dollars
at the boxoffice."
—Daily Variety

"Bright, snappy, entertaining; right
for any audience in any location."
—M. P. Daily

Topping "Four Daughters"
smash biz at Earle Theater,
Washington

"Solid entertainment value. Strong
appeal to all classes and ages of
ticket buyers."
—Boxoffice



MILLION DOLLAR BABY

Starring
PRISCILLA LANE · JEFFREY LYNN · RONALD REAGAN
with **MAY ROBSON · LEE PATRICK** Directed by **CURTIS BERNHARDT**
Screen Play by Casey Robinson, Richard Macaulay and Jerry Wald • From a Story by Leonard Spigelglass

Warners!

IN THE NAVY (MUSICAL)

Hollywood, May 28. Universal release of Alex Gottlieb production. Features Andrew Sisters, Clarence Muse, Fred Astaire...

Dick Abbott and Lou Costello swing into their second round of national military routines in this compact and breezy musical.

Dick Powell is a radio crooner fed into the national spotlight. He disappears to lead the navy in an elaborate, but not original, production.

Abbott and Costello provide constant laughs with their zany routines. They bring in the old shell game, using lemons for the pears...

Induction of Powell in this instance allows for broader use of songs than the previous title. They get in two tunes in effective style.

Foreword credits the San Diego and San Pedro naval bases as locations and backgrounds for the action. Much use is made of military raphy...

THIEVES FALL OUT

Warner Bros. release of First National production. Directed by William C. McGraw. Features William Powell, Joan Bennett...

Exhibitors depending on 'B' features to fill out dual setups will be happy over this cheery, lively melodrama.

sparkling direction becomes an essential support for a twin bill. Saga of a bashful youth who sells the girl's virginity to a girl...

Character of the go-getter grandmother is drawn so roughly that it grates. In the hands of Jean Darwell it becomes so revolting that it is almost overlooked.

Alan Hale turns in one of his best performances as the officious father. He is as much a victim of his mother as the young hero.

KNOCKOUT

Warner Bros. release of Rialto Grand production. Directed by William Clemens. Features William Powell, Joan Bennett...

An action programmer of the fight game, the picture is a complete entertainment for dual support players.

There are a few minor weaknesses in the film. The film is a complete entertainment for dual support players.

PALS OF THE PECOS

Republic release of Louis Gray production. Directed by William C. McGraw. Features William Powell, Joan Bennett...

STORY BUYS

Hollywood, June 3. Metro bought Two Women, written by William O. Douglas, from the estate of M. Dersch.

Miniature Reviews

In 'The Navy' (U). Another dud from the studio. The supporting cast of starlets does well in general bookings.

Thieves Fall Out (WB). Swift-moving comedy-melodrama. Best first aid to fallers.

'Knockout' (WB). Good B program with a few bookings for sport bookings in the sub-sequence and action houses.

'Angels With Broken Wings' (RKO). Confusing and uneven. Despite this one to minor filler dates, despite ambitious cast.

'House of Mystery' (Mono). First-rate 'B' picture with high-British cast; excellent dual support.

'The Shark Wagon' (World). Jungle gona-gona with femme driver will make sturdy support to any B.

'Hargram's Nose' (French). Okay French-made whodunit.

Angels With Broken Wings

(WITH SONGS) Republic release of John B. Green production. Features Rinne Brown, Gilbert Pratt, Harold Lloyd...

Lightweight entry for the secondary dual houses, this one falls completely to jello in any semblance of an entertainment category.

Out of the wicker of confusion, a story seems to concern a girl who is youngsters to maneuver obstacles in the path of modiste Katharine Alexander...

There are a few minor weaknesses in the film. The film is a complete entertainment for dual support players.

HOUSE OF MYSTERY (BRITISH-MADE)

Monogram release. Features Kenneth Copestake. Amstrax is particularly good. Clauda Fries-Gray. At the New York release...

This British melée is lots more exciting than its title. Based on a novel by A. E. W. Mason, English author known for his detective novels...

Robert Wright, cast as Tim Burke, the coach boss, heads the support, which includes Pat O'Brien, Dennis O'Neil, George C. Scott...

Le Collier de Chaivre

'(Hargram's) Nose' (FRANCOIS). French production of 'Hargram's Nose' by Jean Renoir. Features Richard Widmark, Joan Bennett...

This is a very successful French try at a whodunit, and while cleverly done, telegraphs culprit far in advance...

'Goodwill' (Continued from page 2). Latin-American picture developed after three or four failures with Latin-American stars...

'The Shark Wagon' (World). Jungle gona-gona with femme driver will make sturdy support to any B.

'Hargram's Nose' (French). Okay French-made whodunit.

'Knockout' (WB). Good B program with a few bookings for sport bookings in the sub-sequence and action houses.

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Garnet's Cruise Pic

Hollywood, June 3. Tarratt is sending 'Three Ship Girls' to wind up production this summer at Universal, with Brian Donlevy in the male lead.

Pic to Be Bulkhead and Shot by Garnet on a World Cruise

This influx of American dollars is the main reason for the advertising being done in the advertisements. This influx of American dollars is the main reason for the advertising being done in the advertisements.

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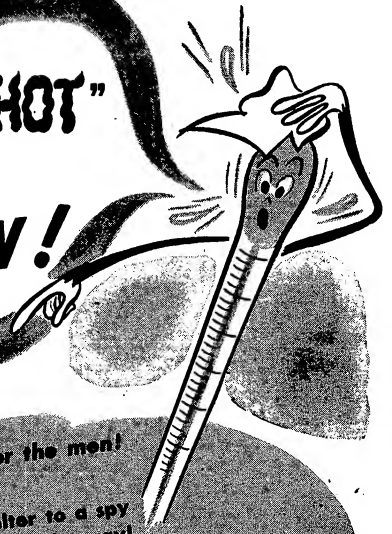
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WHEN FOLKS SAY "IT'S HOT"
THIS IS WHAT
THEY MEAN!



ROMANCE for the women! ... **THRILLS** for the men!
 And **BUSINESS** for YOU!
 From the kiasblitz in a London air raid shelter to a spy
 hide-out in Lisbon... It's fast and furious fun all the way!

To them a
 black-out is
 just an excuse!

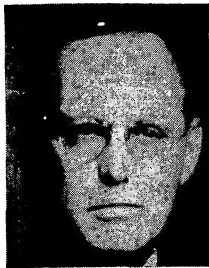


Fred
MACMURRAY
Madeleine
CARROLL

"ONE NIGHT IN LISBON"

with Patricia Morison • Billie Burke • John Leder • Dame May Whitty • Edmund Gwenn
 Reginald Denny • Billy Gilbert • Produced and Directed by Edward H. Griffith
 Screen Play by Virginia Van Upp • Based on a Play by John Van Druten





Jf
**YOU'RE DATING FOR PROFITS—
 DAMON RUNYON SENDS YOU
 JUST THE MUG YOU'RE
 LOOKING FOR!**

Damon Runyon introduces "Speedy", a pedigreed man down to his fingerprints (on police files anywhere), as gentle a Broadway mug as ever made his racket customers behave—and the dice misbehave.

Written by DAMON RUNYON whose "Tight Shoes" follows a grand list of box-office pictures, which includes "Little Miss Marker", "A Slight Case of Murder" and "Lady for a Day"

MR. EXHIBITOR! Today's business is being done by action-comedies . . . People want to laugh at slam-bang fun! . . . "TIGHT SHOES" is just that!

**DATE NOW.
 FOR IMMEDIATE BOOKING!**

Prints in your
 Universal Exchange!

UNIVERSAL PICTURES
 presents

Damon Runyon's

Tight Shoes

with
 JOHN HOWARD
 BROD CRAWFORD
 BINNIE BARNES
 LEO CARRILLO
 ANNE GWYNNE
 SAMUEL S. HINDS
 SHEMP HOWARD

Screenplay by Leonard Solowitz and Albert S. Rogell
 Based on an Original Story by Damon Runyon

Directed by Albert S. Rogell

A MAYFAIR PRODUCTION



Koerner's Ideas for RKO Operations

New Theatre Head Favors Occasional Vaude, Price Shifts, Elastic Policy, Etc.

Boston, June 3. Charles W. Koerner, newly appointed head of Theatres, aired some of his views on theatre operation while in town last weekend for a reunion with the Hub press. It appears that RKO managers will have plenty to say about their individual operations, but in general they will be expected to figure the studios more cooperation. Koerner believes that too many managers lean too heavily on Hollywood for their salvation and more or less shrug their shoulders when a B film is booked in.

Livid talent has always been regarded as a good byproduct, when incidentally employed, to meet screen fare, and he used it himself as a division manager here on the Coast. Apparel vaudeville will be a part of the RKO circuit from now on—but there will be a tendency to break away from routine type of presentation. Koerner also mentioned a likelihood for single features when the product warrants it—leaning toward a one-act feature to deluxe to replace a bad co-feature in booking operations.

RKO chief is aiming to break away from the stereotyped manner of operation, revise policy frequently to meet local conditions, better b.o. prices when exceptional shows can be booked in, extend runs when program strength is exceptional, shorten runs when vice versa, and inject new slants and twists to perk up public interest.

Koerner confided to English when McDowell's New England division manager; Ben (Mack) Boston city manager; and Jack Granara, Hub publicity and exploitation chief, during his two-day visit here.

Renoir's First Dip

Hollywood, June 3. Jean Renoir's first directing assignment at 20th-Fox is "Swamp Water," based on the Verneel Bell novel. Working with Renoir as co-pilot is Irving Pichel, who will handle dialog.

WIDOWED BY GRAY WALLS

Hollywood, June 3. Preston Foster directed "The Farmer" are teamed up for the lead roles of "Frison, Widows" at Paramount. Jonathan Frid and Gordon Kahn are fashioning a script out of the original by Louis Colville.

Inside Stuff—Pictures

Hollywood's doing more "road" work these days than a heavyweight would. WB Pictures and United Artists have recently begun a new campaign (after the "Road to Singapore") and preparing "Road to Morocco," Universal has staked claim to "Road to Montezuma."

Going over the files last week, Merle Potte, Minneapolis Times columnist, reports in a column in the Dewey theatre, local burlesque house then, for Bill Koening, its manager at that time.

The same William Koening just had his contract as general studio manager renewed by 20th-Fox. He has been a high salaried executive in Hollywood for nearly two decades now, but prior to that managed burlesque theatres in Minneapolis.

When N. Y. News recently editorialized that females between the ages of 16 and 24 should be drafted, just as boys are, it had not time in mind to suggest the next day staking the title "Drafted Women." Couple other drafts on the way using a conscription script are Col's "Little Feels the Pix" and Universal's "Private Miss Smith."

(Continued from page 18)

Charles Dingle, Teresa Wright, Jessie Grayson, John

MEET THE VIKING, formerly THE GAY FALCON, drama; asso. prod. Howard Benedict; dir. Irving Calton; orig. by Miguel Artiz; screenplay by Lyon Sol; Frank Benton; camera, Nick Musuamy; Cast: George Sorensen, Harris Barton, Glenn Yusef, Glady Cooper, Edward S. Brubaker, Arthur Shields, Damian O'Flynn, Turhan Bey, Eddie Dunn, Lucile Hadzigeorgieva.

LOOK WHO'S LAUGHING, formerly LOOK WHO'S TALKING, comedy; prod. Republic; scenario by Arthur Hodge; script by V. Kern; music, Frank Bedman; Cast: Edgar Berger, Charlie McCarthy, Jim Jordan, Paul Kelly, James H. Hottel, Stanley Jaffe, Betty Lovett, Harold Peary, Isabel Randolph, Irving Bacon, Neil Hamilton.

MEXICAN SPITFIRE'S BABY, formerly LORD EPING BEER, comedy; asso. prod. Leslie Gooding; dir. Charles Bentley; screenplay, Jerry Casey; camera, Jack Mackenzie; Cast: Leon Errol, Luella Velaz, Don Woods, Zasu Pitts, Elizabeth Storm. THE KID WHO SOLD WINTER, (41-42); asso. prod. David Howard; dir. Bert Gilroy; orig. story, Tom Gibson; screenplay by Norton Parker; Cast: Tim Holt, Lee Luster, Whitey Boy, Whitely Ann Grayson, Fern Gravel, Lane Chandler, Davidson Clark.

Republic

Table with columns: Features, Westerns, Serials, Total, from 46-41, com-pleted, Shoot- ing, from 46-41, Cut-ting, To Be Comp. June 4-14, 46-41, 46-42. Includes entries like MOUNTAIN MOLLIE, formerly TRUNDER OVER THE OZARKS, comedy-drama; asso. prod. Arthur Schnitzler; dir. Arthur Schnitzler; Cast: Maud Grawlin and Dorrell and Stuart McKim...

Table with columns: Features, Westerns, Serials, Total, from 46-41, com-pleted, Shoot- ing, from 46-41, Cut-ting, To Be Comp. June 4-14, 46-41, 46-42. Includes entries like Puddin' Head, comedy; asso. prod. Albert J. Cohen; dir. Joseph Santley; screenplay, Jack Townley...

Table with columns: Features, Westerns, Serials, Total, from 46-41, com-pleted, Shoot- ing, from 46-41, Cut-ting, To Be Comp. June 4-14, 46-41, 46-42. Includes entries like BUREAUERIAN SMITH, drama; asso. prod. Robert North; dir. Bernard Vorhaus; orig. story, Charles G. Murphy...

Table with columns: Features, Westerns, Serials, Total, from 46-41, com-pleted, Shoot- ing, from 46-41, Cut-ting, To Be Comp. June 4-14, 46-41, 46-42. Includes entries like GANGS OF SONORA, western; asso. prod. Louis Grey; dir. Jack English; orig. screenplay, Albert De-Weese...

Table with columns: Features, Westerns, Serials, Total, from 46-41, com-pleted, Shoot- ing, from 46-41, Cut-ting, To Be Comp. June 4-14, 46-41, 46-42. Includes entries like EVEREST STARS, western; asso. prod. Harry Grey; dir. William Morgan; no writing credit; camera, Reggie Lanning...

20th Century-Fox

Table with columns: Features, Westerns, Serials, Total, from 46-41, com-pleted, Shoot- ing, from 46-41, Cut-ting, To Be Comp. June 4-14, 46-41, 46-42. Includes entries like FOR BEAUTY'S SAKE, comedy-drama; prod. Lucien Heller; dir. Stuart Seidelman; screenplay, Richard Lusk, Ethel Hill, Walter Bullock; camera, Charles Correll...

Table with columns: Features, Westerns, Serials, Total, from 46-41, com-pleted, Shoot- ing, from 46-41, Cut-ting, To Be Comp. June 4-14, 46-41, 46-42. Includes entries like THE BRIDE WORE CROTCHES, comedy; drama; asso. prod. Lucien Hubbard; no writing credit; camera, screenplay, E. Verdier; dir. original by E. E. Verdier...

Table with columns: Features, Westerns, Serials, Total, from 46-41, com-pleted, Shoot- ing, from 46-41, Cut-ting, To Be Comp. June 4-14, 46-41, 46-42. Includes entries like ACCENT ON LOVE, formerly THE MAN WITH A SHEVEL, formerly RETURN TO LIFE, drama; asso. prod. Walter Morgan; no writing credit; camera, screenplay, dir. Dalton Trumbo; screenplay, John G. Murphy...

Table with columns: Features, Westerns, Serials, Total, from 46-41, com-pleted, Shoot- ing, from 46-41, Cut-ting, To Be Comp. June 4-14, 46-41, 46-42. Includes entries like MOON OVER MIAMI, formerly MIAMI, musical (Technicolor); asso. prod. Harry Jo Brann; dir. Walter Metzger; screenplay, Vincent Cerant; music, Cummings Holmes; camera, Pevelin Marley and Allen M. Duvey...

Advance Production Chart

Table with columns: Features, Westerns, Serials, Total, from 46-41, com-pleted, Shoot- ing, from 46-41, Cut-ting, To Be Comp. June 4-14, 46-41, 46-42. Includes entries like BELLE STARR, drama (41-42) (Technicolor); asso. prod. Kenneth Macgowan; dir. Irving Cummings; no writing credit; camera, Glenn Yusef, Roy Remick...

20th-Fox Pix in Production

A YANK IN THE R.A.F., drama; asso. prod. Lou Edelstein; dir. Henry King; screenplay, Darrell Ware and Ken Gries; dir. Henry King; screenplay, Darrell Ware, Peter Grahle, John Sutton, Reginald Green, Donald Stuart, John Wilde, Richard Frazer...

Artist

Table with columns: From 46-41, com-pleted, Shoot- ing, from 46-41, Cut-ting, To Be Comp. June 4-14, 46-41, 46-42. Includes entries like Golden Rondo, 2 0 0 0 2 0 0 0; Wander, 4 2 0 0 2 0 0 0; Moon, 4 4 0 0 0 0 0 0; Beach, 5 4 0 0 1 0 0 0 0; etc.

Total sold 28 17 2 1 0 1 1 2

Five cancelled, 11 in release for 40-41.

Pictures in cutting rooms or awaiting release: BROADWAY LIMITED, drama; Hal Roach prod; dir. Gordon Douglas; camera, Gene Morton; camera, Robert Brodine; Cast: Victor McLaglin, Marjorie Woodworth, Donald Crisp, Frank Fontana, Harold Leonis-Kay, George E. Stone.

NEW NEWS (1941-42), musical; asso. prod. Dr. Willa Setely; dir. Reinhold Schunzler; original by Ludlouis Van-Falsete; camera, John Mescal; Cast: Benay Lipton, Charles Barnes, Alan Curtis, Albert Basserman, Billy Bletcher, John Kelly, Zasu Pitts, Arthur Stone.

UA Pictures in Production

ILLUSIONS (1941-42), drama; Alexander Korda production; dir. Julian Duvivier; screenplay, Ludlouis Van-Falsete; camera, Gene Morton; camera, Oberon, Alan Marshall, Joseph Cotten, Hans Jary, Alan Mowbray, Willa Setely, Willa Mayer, Harold Allgood, Billy Ray.

INTERNATIONAL LADY, formerly G-MEN OF SEVEN CITIES; drama; asso. prod. Hal Roach; prod. dir. Tim Whalen; screenplay, E. Lloyd Sheldon; Jack de Witt; Howard Estabrook; camera, Hal Mohr. FIVE GALLOPS, drama; asso. prod. John Tomber, Marjorie Gerson, Wrynham Standing, Gene Lockhart, Rita Quigley, George Zucco.

Universal

Table with columns: Features, Westerns, Serials, Total, from 46-41, com-pleted, Shoot- ing, from 46-41, Cut-ting, To Be Comp. June 4-14, 46-41, 46-42. Includes entries like Anna-Derivis, 7 0 0 0 0 0 0 0; Westerns, 7 0 0 0 2 0 0 0; Lyoid, 3 0 0 0 2 0 0 0; Serials, 4 0 0 0 0 0 0 0; Total, 41 57 0 0 12 4 0 0 4

Pictures in cutting rooms or awaiting release: THE DANGERS OF MANITOWAG, drama; prod. Warner; dir. Fritz Lang; screenplay, Dudley Nichols; camera, Arthur Miller; Cast: Joan Bennett, Walter Pidgeon, Richard Dix, George E. Stone, George E. Stone, Heather Thatcher, Roger Imhof. SUBV, thriller; asso. prod. Donald Crisp; screenplay, John G. Murphy; dir. original by Donald Crisp; camera, Pevelin Marley and Allen M. Duvey; music, Cummings Holmes; camera, Pevelin Marley and Allen M. Duvey. EIGHT TO KILL, formerly THE DEAD TALK; dir. Eugene Foran (41-42); asso. prod. Sol M. Wurtzel; dir., Bugs Dorey; screenplay, Stanley Laub and Man-

THE TIMELIEST OF ALL MUSICALS

...with the Year's
Biggest Personality
Parade!

TIME OUT FOR RHYTHM



Here's what your patrons
want right now!

- ★ **RUDY VALLEE**
Star of Stage, Screen and Radio
- ★ **ANN MILLER**
Musical Comedy Dance Star
- ★ **ROSEMARY LANE**
Swingstress of Radio and Films
- ★ **ALLEN JENKINS**
Hollywood's Favorite Comic
- ★ **JOAN MERRILL**
Broadway Night Club Sensation
- ★ **BRENDA and COBINA**
Bob Hope's Radio Riots
- ★ **THE THREE STOOGES**
Kings of the Zanies
- ★ **RICHARD LANE**
Filmom's Most Versatile Personality
- ★ **SIX HITS and a MISS**
Vocalists of Bob Hope's Radio Show
- ★ **GLEN GRAY and his
CASA LOMA BAND**
America's Favorite Orchestra

Story by Bert Grant • Screen play by Edmund L. Hartman and
Burt Lawrence • Directed by SIDNEY SALBERN • Produced by IRVING STARR



U. S. Labor Conciliator Steps Into Disney-Cartoonists Strike Impasse

Harmon Reviews

(Continued from page 22)

tors had signed pledges of cooperation for the new committee legislative division headed by Harry Brandt, with 2,600 additional pledges expected. He underscored the importance of the contribution which film exchanges were making and the appreciation for the 28 trucking associations, forming Film Carriers, Inc., had arranged to transport film bearings to the committee's labor grants.

Films thus far released under the committee's banner are "The War of Defense," "Calling All Workers," "America Preferred" and "Where Do We Go Now?"

Harmon read a message from Col. H. A. Cole, head of Allied, naming Lee R. Newby as an additional member to R. B. Wilby's sub-committee on the theatre program. He added that Edward Weir, president of Motion Picture Theatre Owners, had suggested that Max Cohen be named to the same committee. The committee, which passes on whether defence films should be handled by exhibitors' defence committees, now includes Wilby, chairman, A. H. Blank, Cohen, C. C. Moskowitz, Newby, Joseph Richards and Sporo Sokoren.

Latin-American Relations

Regarding Latin-American relations, Harmon made the point that more care is being exercised in acquiring Latin-American film concerning the Latin-American film. He mentioned that Addison Durand, a Latin-American technical expert, had said that his employment was purpose-inspired. Harmon claimed that the committee would see to it that adequate coverage on the Latin-Americans.

When touched on the film industry's maintenance of an uninterrupted supply of films to the "brave people of beleaguered Britain," he said that the British Board of Trade president expressed a desire that film imports be maintained at the level of 1939 level, and that this had been done as an essential service in maintaining British morale both among the American population and the 4,000,000 persons in the armed services. Harmon mentioned that the committee usually accepted motion picture film and other copyrighted articles from its provisions.

BEN GRIEFER INTO EXEC POST AT NEWARK PAR

Shirking of Ben Griever, long-time Newark theatre manager and general director of the Broadway Paramount, to handle the Paramount Newark theatre gives him complete control of the theatre. He is the son's own man on the scene. Par and Adams Bros have been partners in the Newark theatre, as they are in Paterson, N. J.

The Newark operation has been a success thus far and is giving direct control. Adam Adams of the Bros. has been operating heretofore. Griever normally have their own situations, sans partnerships, in Jersey.

Griever has been with Paramount for the last 15 years, seven of them with the Newark theatre. Ben Shapiro becomes first assistant to Wetman with Griever's promotion, drama. Ben Shapiro, who has been second assistant. DeWitt Celcor becomes treasurer and Joseph T. Conti is now assistant treasurer.

Dover Road, U.S.A.

Hollywood, June 3. A. A. Mine's "Dover Road" will be made by RKO with a switch in stars. Instead of an English setting, it will be shifted to a similarly named town in the British Isles, has been written by the convention.

Cast: Wayne Morris, Brenda Marshall, David Bruce, Richard Ainley, Willis Best, Helen Westley, Lee Patrick, Richard Hale, Alexis Smith, Roland Drew, Charles McClain.
LAW OF THE TROPICS, formerly KING BIRDEN, drama. (R-42) cast: Ben Stoyer, John Davidson, John H. Wood, right; opp. scenery, Barry Trivers; camera, Sid Hickox. Cast: Jeffrey Lynn, Constance Bennett, Mona Maris, Ben Brown, Roland Drew, Robert Bowdler, Frank Puglia.

Striking From The Air

Hollywood, June 3. William Lattin John, proxy of the Screen Cartoonists Guild, is directing a 24-hour picket line for the air. He's a former director of a financier and a licensed pilot.
He takes various union leaders up in the air in his reconnaissance flights.

Disney Panned in Det. For Quick Return Of 'Exclusive' Roadshowing

Detroit, June 3. Press here is putting a major blast on advertising in connection with "Fantasia," charged with policy of hurrying the picture back at popular prices not only is deeming the roadshow idea but is giving the film public a roasting.
Presented by Detroit after the picture during its long road showing at the Wilson here was advertised at popular prices not only is deeming the roadshow idea but is giving the film public a roasting.

"However, hardly had the last note of that love letter been written in the Wilson's walls," one party states, "than a statement was released that Disney had decided with RKO whereby the same 'Fantasia' form of some of the reportedly costly traps and technical oddities would be released on a one-time basis for the 100-city roadshows throughout the country. It happens there are a number of RKO houses within the 100-city area, even within 10 miles of the Wilson, and the new agreement suggests the picture showing won't have the sort of carnival gimmick, not in good taste and decidedly unfair to the advertiser."

Although carrying the statement of RKO officials here that the new picture showing won't have "Fantasia" sound and therefore does not nullify the roadshow advertising, the press here is charging the advertising wasn't in good faith.
"Although Disney 'philanthropic' about the whole business, the newspapers here are taking the stance that because the picture didn't come up to attendance expectations 'Disney' like everybody else, intends to market his commodity for all he can get."

Attention here is that this is no time for practicing deceit on big audiences, grown more penny and suspicious of picture advertising; that those thousands who came extra to see the picture are plenty willing to be let down and that the violation of advertising statements will bring the ruin of roadshowing to the picture industry.

ALL SET FOR EXHIB CONCLAVE ON COAST

Hollywood, June 3. Elaborate entertainment program framed for joint convention of Motion Picture Theatre Owners of California and Pacific Northwest of Independent Theatre Owners set for June 9-12 here. Besides the usual picture and speech luncheon, a "Night in Hollywood" and final banquet at Earl Carroll's are planned. Mary Pickford is scheduled as hostess at a personality parade for female visitors, sponsored by Rowland Brown of New York early this week. The convention will be held in the Regency Hotel, according to the convention.

Hollywood, June 3. Governmental intervention in the strike at the Walt Disney studio is being made by Lyman Sisey, U. S. Labor Conciliator, who is here to effect a peaceful settlement. He conferred Monday (2) with labor leaders and today (Tuesday) is slated for talks with Disney. Sisey understood the gravity of the situation for an official report to Washington.

Outside support of the cartoonists' strike took a definite form when Motion Picture Theatre Owners of California issued orders to 12 bookmen at Technicolor to refrain from screening the picture Monday (2) and Monday (3). Intimated Projectionists District Council No. 2 may be asked to cooperate by being members in theatre where employed.

Pressing RKO. Strike leaders meet with RKO studio heads upon arrival here of George J. Schaefer with a view to previewing of Disney's "Reluctant Dragon" and it goes into release Friday (6). RKO had cleared a preview with the Haystack Club for Wednesday (4) at the Four Star Theatre.

Society of Motion Picture Film Editors is taking a Disney strike line (Times). Although members are reported refusing to cross the cartoonists' picket line. Proceedings of Disney films in progress. Technicolor, Williams and Pathé Laboratories.

American Federation of Labor leaders say a nationwide campaign is being launched by the Brotherhood of Painters to drive "Fantasia" from the screen. Instructions have gone out to all studio unions to refuse to screen the picture.

Disney spokesman insists production at the plant is showing an increase since the strike. The unionists claim his production has been seriously crippled.

Welles Captures S.F. Hearst Stronghold

San Francisco, June 3. Most unusual reaction ever noted at a Frisco preem was accorded Orson Welles' "The Sign of the Cross" Tuesday (27). Insistent for bows, but to his feet he was to be quoted until he walked to the head of the aisle.

Welles confined his remarks to the statement that he had been nervous about showing the film here. "Frisco being a Hearst stronghold," it was afraid you might tear the screen to bits, but see now that what we thought was a lot of nerve wasn't."

By interesting coincidence Heavly, Lolly Parsons and Marion Davies were in town at the time.

Welles and Hearst both arrived in Frisco the day before the preem, but both stopped at the Fairmont Hotel and went to bed. Like a Wellesian inspiration, but which proved to be simple coincidence. His publicity value for Hearst was being layed off the controversy and press agent's dream.

Pretty Legionnaire

Hollywood, June 3. "Beau Beautiful," a yarn about an actor in the Foreign Legion, has been bought for production by Rowland Brown's New World out. Ewald Knobel, New York Times newspaperman, authored the tale.

Advance Production Chart

(Continued from page 22)
Perrin and Arthur T. Horman; screenplay, Jerry Wald; Richard Macaulay; lyrics, Tony Gaudio; Cast: Alan Ladd, Jack Palance, Martha Raye, Jack Black, Jack Carson, Jack Glicken, Frank Orth, Robert Morgan, Tom Dugan, Mary Hovland, Jess Ames, Mary Hovland.

THE SMILING GHOST drama. (41-42); assn. prod. Ewald Knobel; story, Lew Seltzer; screen, Seltzer; Gamet and Wilbur M. Beatty; camera, Arthur Todd.

Screen Writers Push Drive To Form Alliance With Other Guilds

Picket Theatres

Hollywood, June 3. Screen Cartoonists Guild, on strike at the Disney studio, has thrown a picket line around three top theatres here playing Disney shorts. They are the Panatiers, El Capitan and Carthy Circle.

Fox-West Coast houses are not affected following meeting of SGC with Charles Skouras, who told union leaders: he couldn't pull Disney cartoons, because his contract called for play-off.

Pizor-Segal End Court Battle By Splitting Theatres

Philadelphia, June 3. A bitter court battle between two prominent Philis exiles—Lewen Pizor and Charles Segal—immediately ended when the two allegedly defusing the partnership. Segal averted with the announcement over the weekend that their differences had been settled out of court.

The terms of the reported agreement of partnership, Eastern Theatres, Inc. and Boro Theatres, Inc., is dissolved, with Pizor taking over the operation of three houses. Segal, who has been in ill health, keeps one theatre.

Pizor, who is president of the United Motion Picture Theatre Owners of Eastern Pennsylvania, bought out Segal's interests in the Cice, Chelton and Tioga. Segal keeps the Apollo.

CARRS LOSE LIVES IN FIRE IN OWN THEATRE

Des Moines, Ia., June 3. Clayton Carr, 26, and his wife, 25, were burned to death last week when fire gutted the theatre they operate at Radcliffe, Ia. They had two sons, 2 and 4, who were at home. The fire started about 10 p.m. and trapped the Carrs in the projection room. About 350 persons in the theatre fled the building unscathed, made a safe exit. The fire started in the projection room.

New York Theatres

LAST WEEKS
STATAS
BROADWAY 61-62
MAY 29-31
MAY 31-61
MAY 31-61
MAY 31-61

Starts Thursday
That's Fine
William
Lorenz
POWERLE
TOY

Capitol
MAY 29-31
MAY 31-61
MAY 31-61

"LOVE CRAZY"
A Metro-Goldwyn-Mayer Picture

OPENS FRIDAY, JUNE 6
"Million Dollar Baby"
A New Warner Bros. Hit Starring
Paul Douglas, Patricia Kelly, Lynn
Ronald Reagan & May Robyn
IN PRESENT
LES BOWEN and His Ork.
Don Williams
STRAND B'way & 47 St.

State
Lorraine
"HIT"
"WOMAN"
On Broadway
Rehearsal & Action

Starts Thu. June 5
John Bland
"RETURN"
To Present
Doree Murrin
"SCANDAL"

ORSON WELLES
"THE SIGN OF THE CROSS"
KANE
"PLACE THE BET"
PARAMOUNT
HELD OVER 30 WEEKS
First Times at
Theaters
"I WANTED
WINGS"
MAY 29-31
MAY 31-61
MAY 31-61
MAY 31-61

Romero, Landis Uped

Hollywood, June 3. Cesar Romero and Carole Landis drawing star billing, upped from feature billing in the 20th-Fox picture, but the two stars have been written several times in the last two years. Studio has added \$100,000 to budget for additional music.

LADDO CITY
MUSIC HALL
HELD OVER
"PENNY
SERENADE"
Spectacular Stage Productions

Broadcasting Industry's 1940 Net: \$33,296,708

Washington, June 3. — On Saturday last (31) two days before the commencement here of scheduled U. S. Senate Interstate Commerce committee hearings on the White resolution to investigate the Federal Communications Commission that body released to the press a detailed statement covering the income of the American broadcasting industry during 1940. The report disclosed that a peak volume of \$154,823,787 worth of advertising was sold.

Washington legal and industry minds studied the FCC final report over the week-end to determine how the picture might affect, favorably or unfavorably, the social, moral and political position of the major networks (NBC and CBS) in their attack upon the FCC. Broadcasters were disposed to feel that the FCC's own data weakened the case against the profit-making broadcasting network.

Columbia set the profit pace among the chains, which together had time sales of \$71,919,028, a rise of 15%, and paid out \$22,123,760 against the 1939 figure of \$18,023. The chain's net income of \$23,895, NBC, and MBS was \$8,885,694, or almost \$200,000, while their Federal income taxes shot up over \$250,000.

With its two combinations, NBC accounted for \$31,197,823 of the chain's time sales and \$12,366,772 of the profit. Columbia, with revenue of \$31,197,823, pocketed \$50,004, and Mutual, enjoying

\$3,800,161 worth of web business, net \$39,716.

Marked jump in non-network business was revealed. Considering both the networked and independent stations, the industry peddled \$61,897,239 worth of time for local and national spot advertising, a rise of 20%. Of this total, the 31 M & O plants took \$10,646,592, leaving for the 724 other stations, both affiliated and non-affiliated \$71,249,644. This last figure was more than four times the total income from all sources of the web's own transmitters (which had aggregating operating income of \$17,080,000).

While the chain-owned plants had over one-fourth of total net income, the earnings of the 734 indie outfits were up around 50%.

Take of the independents was \$19,123,000, up \$6,345,807, against a \$5,861,038 profit figure for the 31 M & O units. The Commission revealed that non-network business showed an increase in station sales of 20% to local advertisers and 22% to national spot sponsors, plus 21% in the amounts received from the chains. On the revenue side, 62 recusers in the whole study was the amount of new business developed. Dedicating the revenues of 62 recusers who started operations during 1940, the veteran outlets cultivated \$23,108,676; 1939, \$18,000,000, in counts (or of increased outlets by established users).

Another encouraging aspect was



RAYMOND PAIGE

Whose "Musical Americans" recorded album is proving a barometer of the popularity of American music outside the States. The album, containing the works of American composers Paige featured on the list, is now ranking as a best seller in Canada and South America.

the drop in the number of losing ventures. While in 1939 a total of 227 licensees ran \$2,229,471 into the red, last year there were exactly 40 fewer unsuccessful plants (187) and the losses were cut to \$1,851,812. The 62 newcomers as a group had combined losses of \$37,648 (though 35 of the rookies were money-makers) and the number of losing proprietors included 61 who have come out short every year since 1937.

Indicating either they are in unattractive markets or just can't render a service that invites advertisers. Radio is still predominantly a network medium in the eyes of sponsors and advertisers, the FCC tabulations disclosed. Revenue from the sale of network time amounted to \$10,646,592, or 31% of the total for regional web facilities). Or not quite half the aggregate broadcast

revenues of all stations and chains from all sources. After deducting commissions and chains' payments to affiliates all over (national and regional) had \$34,047,776 out of the operating income of \$133,994,789 for the entire industry.

Agencies, station representatives, brokers and other getting commissions pocketed a sum equivalent to almost one-third of the amount which the national and regional chains retained. Commissions amounted to \$11,146,884, while the individual stations kicked back another \$9,712,343. So that the industry actually subtracted from its unaccounted business volume \$20,859,018.

The three major webs and their 23 M & O transmitters charged more than half of their operating expenses to program items. With costs aggregating \$80,495,013, the tri-continental technical expenses of \$4,532,555; program expenses, \$19,110,688; sales; advertising, promotion and publicity

expenses, \$4,838,888, and general and administrative expenses, \$10,474,831.

Three-fourths of the expense were advertising expenses, with the M & O outlets accounting for only a quarter of the bill. The chains showed over half of the total output for technical expenses, four-fifths of that for general sales, advertising, promotion and over three-fourths of that for public relations. The balance of public relations were due to network operation.

Lumping both the costs for serving their affiliates and for running their own properties, the chains paid out \$12,681,833 in salaries and wages, not including salaries. The talent bill was \$6,522,508—of which \$4,965,582 was charged up against network operations, and \$1,556,926 was for M & O properties—bringing the aggregate for personal services of all kinds to \$19,294,341.

If Computed at One-Time Card Rates

(For Comparisons to Printed Media)

	1940	1939
MAJOR AND REGIONAL NETWORKS	\$99,000,000	\$85,000,000
NATIONAL SPOT	44,000,000	36,000,000
LOCAL	\$4,000,000	45,000,000
TOTAL GROSS TIME SALES	\$147,000,000	\$166,000,000

(Note: Gross time sales are a fiction and the sole purpose in compiling them is to enable comparisons between radio and other media. The figures are not meant to be taken literally. They compute their advertising revenue in terms of single time space rates. Therefore, gross radio time sales represent a comparable figure—that is, revenue prior to any discounts whatsoever. The computations above were made by the VARIETY Research and Information Department in a formula developed after a check with over 200 radio stations. Base for the figures was FCC data.)

Network Operating Items

Washington, June 3. — Three major networks (Red, Blue, CBS) reported the following items of operating expense during 1940:

Royalties, program license fees: \$1,200,845 (\$964,156 charged to network operation).

A. & T. & T. wires: \$5,912,106 (all but \$783,575 leased to network operations).

Contract power: \$322,156.

Rentals for office space, etc.: \$2,871,174.

Telephone and telegraph: \$1,450,000.

State, Local Taxes: \$1,115,477.

WHAS, L.VILLE, BANS LAXATIVES

Louisville, June 3. — Following an order issued by Mark E. Bridgde, who is in charge of WHAS, will immediately decline all laxative advertising over its station. Bridgde has instructed the WHAS sales department that effective at once, no time either for programs or spot announcements, will be sold to major advertisers, but station will carry program and announcements now on the station under contract expires.

Order is considered one to set a precedent on a 50,000 watt station, as laxative bills amounts to quite a sizeable chunk on station of WHAS also.

'Maj. Hoopie' Comic Strip Among Would-Be Tubs For Lovers' Big Town

Radio version of 'Major Hoopie', a comic strip owned by NEA syndicate, was auditioned by Ruthrauff & Bryant week after week by the new replacement for Lever Bros. 'Tom Taver' series (CBS). The show is being auditioned by General Amusement Corp.

Among the other programs under consideration are 'The Mule' and 'Mrs. North', a series with Cornelia Oils Skinner and Roland and 'Q.E.D.' comedy quiz with Colonel Stoppage.

Dupre Just Scratches

New Orleans, June 3. — The sickness line has been dragging the WFL staff for the past week. First Al Godwin, sports anchor, went to bed with a cold, followed the next day by Don Anderson, the news commentator. He in turn was followed by Bob Lewis, also a measles victim. Then to top it off, Mike Clarke was rushed to the hospital for an emergency appendectomy.

Henry Dupre, program director, is in his office and calmly scratches

Radio Industry's 1940 Income BASEBALL QUIZ ASCAFTOR SUB

(3 MAJOR NETWORKS; 5 REGIONAL NETWORKS; 765 STATIONS)

STATIONS:	1940.	1939.	Pct. Change.
Sale of time to major and regional networks	\$27,735,291	\$23,370,569	+19
Sale of time to national spot advertisers	37,149,444	37,215,774	+10
Sale of time to local advertisers	44,765,972	37,215,774	+20
Total sale of time to stations	\$109,650,527	\$101,186,396	+20
Retained from sale of time	\$45,194,280	\$38,609,630	+17
Total industry time sales	\$154,823,787	\$129,986,026	+19
Deduct commissions to agencies	20,859,018	17,405,414	+19
Total industry net time sales	\$133,994,769	\$112,580,612	+19
Add incidental revenue	13,817,948	11,219,252	+16
Total net industry revenues	\$147,146,717	\$123,801,864	+19
EXPENSES (DEDUCT)	113,850,000	100,443,920	+14

BROADCAST SERVICE INCOME (TOTAL OF REVENUE IN EXCESS OF EXPENSES) \$33,296,708 \$23,837,944 +39

(Note: In the foregoing figures the FCC has subtracted out all frequency discounts in the sale of time. The figures are therefore "net" and not "gross." Latter (gross) figures appear in another chart.)

* These figures are not to be confused with industry profit. The net profit is a lesser amount due to Federal taxes, etc.

NEW YORK SYSTEM, INC. Sings Swan Song

Albany, June 3. — New York Broadcasting System, Inc. has been dissolved, according to papers filed with the secretary of state.

McCauley & Henry were the filing attorneys.

New York Broadcasting System was instigated by WINS, N. Y., a Hearst operation. The regional project, which never hit the air, was swathe, has been dormant for some time.

WINS moved to its new studios in West 44th St. from its former location in East 58th. Programs began airing last week on Sunday morning (10). For a week previously all shows originated at the old studios, but were piped through the control room of the new.

Station will go to 50,000 watts power as soon as construction is completed on its new transmitter.

Splinary Girl Orchestra May Broadcast Series From U.S. Army Camps

Plans are being made to originate a series of Phil Splinary's General Electric-Hour of Charm broadcasts from various Army camps. D.E. & O. agency on the account, and NBC's Red, which carries it, are checking facilities at the camps.

If plans are okayed Splinary's all-girl band will do its first broadcast from Camp Dix, N. J., June 15. Richard Stark, announcer on the program, will commute to whichever camp the strings are done from.

Wilson Jarred

Herbert L. Wilson, vice-president of WBNX, the Bronx, N. Y., received a serious shock Wednesday of last week when lightning struck the station's transmitter near Passaic, N. J., where he was busy at the time.

STATION'S DEPARTMENT FOR NATIONAL DEFENSE

Buffalo, N. Y., June 3. — Special department has been established by local station WBBZ to handle national defense radio material.

Albert E. Zink is head of the department and will work with Federal staff and city officials on the subject.

Chamberlain's Colorado Spels

Cincinnati, June 3. — Howard Chamberlain, WLS assistant program director, is scheduled to give four lectures while conducting a clinic at the Colorado State College of Agriculture's extension service summer school, June 17-20 at Fort Collins, Colo. Last year's school was attended by more than 300 county agricultural agents from 22 states.

He will discuss the fundamentals of good script writing and delivery for agricultural broadcasts.

BASEBALL QUIZ ASCAFTOR SUB

Bristol-Myers has okayed a quiz on baseball as the summer substitute for Eddie Cantor in the NBC-TV Wednesday night spot starting July 2. Young & Rubicam, agency on the program, bought the rights to the quiz from KFBI, Wichita, Kan.

Same account has renewed for The District Attorney for another year.

A. L. Bradford From So. America Heading U.P.'s Radio News Dept.

A. L. Bradford becomes Radio news manager for United Press, leaving job of General South American Editor with the U.P. news duties. U.P. radio news service now goes to 492 radio stations.

Bradford was recruited by Webb C. Arns, who has requested an indefinite leave of absence, because of ill health.

No Hinn Deferment

Cincinnati, June 3. — Request of Michael Hinn, WLV newscaster, for deferment was turned down by his draft board. He is scheduled to be called for military training this month.

Hinn was classified four months ago, when his wife, Helen Diller, the Canadian cowgirl, also was working on WLV. Hinn was away by draft board. He is 27 and has been on the Croley staff 30 months.

Hinn's military training was recently gave Peter Grant, WLV's chief announcer, a six-month deferment and resulted in a exceptional publicity in local dailies.

Tacona—Weesley Myers, formerly announcer at KVTA, Tacoma, has joined the announcing staff of KNX, Los Angeles.

Inside Stuff—Radio

Considerable amount of time is being given to the Government for plugging the sale of defense bonds and the United Service Organizations on the various programs handled by the New York office of Blackett-Sample-Hummert. It probably far surpasses in extent the amount being given on the show of any other agency. In most cases the plugs are worked into the dialog, but in some the entire program is presented as a 'benefit'. In the period from June 1 to July 7 there will be seven special dialog sequences for the U. S. O. and 11 for defense bonds, six spot plugs for U. S. O. and seven for defense bonds, two personal appeals for U. S. O. by cast members and 'benefit performances' of both 'Manhattan Merry-Go-Round' and 'American Museum of Familiar Music' for each objective. Series of plugs and 'benefits' were arranged by Frank and Anne Hummert.

Edward Klauber of CBS is among the well known persons commenting on Latin-American projects in latest issue of 'The Sign', national Catholic monthly. Klauber wrote: 'Please let me express my pleasure at the interest you are taking in the Latin-American situation and the stimulus you are giving to affect work in this very worthwhile direction.' One of the undertakings of this 'Pasionist Fathers' magazine (published in Union City, N. J.) is the Sign Seminar to Lima, Peru, with sailings from New York on June 20 and July 3.

Horace Schwerin, of the Raymond Spectator, will proxy Lorraine Roth June 14, a fortnight before his induction into the U. S. Army. Schwerin has attracted considerable attention as a research circuit by his qualitative analyses of programs from the standpoint of public reaction to specific show-business ingredients. He has made much use of the mechanical likes-dislikes meter devised by Frank Stanton and Paul Lazarusfeld.

Ruthrauff & Ryan agency stated last week that it was not considering replacing Major Edward Bowes (Chrysler) with another show this fall. Rumor has persisted in the trade that such a move was in the offing. Agency in its statement last week remarked that the plug was being holding and the inquiries that it has made of Hollywood name talent have had to do with accounts other than Chrysler.

Victor Ratner, now that he has left CBS for Lord & Thomas, will get to visit that farm in Vermont he's owned for years and never could visit. After completing various preliminary work for Lord & Thomas, Ratner will take a two-month holiday.

WALTER CRAIG AT WMCA

Walter Craig has become program director of station WMCA, New York, the first in a line of changes in the new Noble ownership's announced policy of finding a new and higher level for the radio. Craig after years with World Broadcasting was prominent freelance radio producer handling such accounts as Coca-Cola, Chevrolet, Bechtel, General and Lifesaver. In the latter connection Craig had some business contact with Edward Noble, who is now president of the station. Recently Craig was with the Street & Finney agency.

Craig is a former musical composer singing-dancing juvenile, growing up in show biz as a kid trumpet. At WMCA under general manager Don Sawyer the program department will have some revised titles with Craig's advent. Leslie Evan Roberts will be director of public services and Bill Craig will be the new music director.

NEW KGBS BUILDING

Ingham Roberts to Manage Tichenor Property in Texas

Hartlingen, Texas, June 3. Construction will be started this week on building for KGBS, which is expected to start operations the latter part of this month or the early part of July. The building, which will house general offices, transmitter building and studios, will be on a 20-acre tract situated midway between this city and San Benito, Texas, hence the name of the radio station. Ingham S. Roberts of the sales department of station KFSB has been named general manager of the new station.

Station is owned by McHenry Fitzpatrick and Clarence Fitzpatrick and will operate on 1240 kilocycles with a power of 250 watts day and night. Station will broadcast daily. All equipment is Western Electric. Station will be serviced by United Press News service.

Nashville, Tenn.—Adrian Fitzpatrick, formerly with stations in Pittsburgh, Boston and Greenville, Miss., has joined the broadcasting staff of WSM, Nashville.

SPONSORS SOFIA ALVAREZ

Singer Back in Mexico—Was With A. B. Marcus Beveus

Mexico City, June 2. Sofia Alvarez, Mexican singer-actress who played in pory and went with the Marcus troupe to Cuba last fall, is back from a tour of the United States. She is on the 'Merry Hour' radio program presented by NBC over Boston station KEXB by Harry Steele Co., watch manufacturers and distributors.

Doc Brinkley Witnesses Sale of Some Assets

San Antonio, June 3. The gun collection and two Rio Grande Valley orchards once belonging to Doc John R. Brinkley, bankrupt Del Rio Texas sports gland operations-warehouse magnate (and at present a candidate for a seat in the United States Senate) have been sold at public auction here in Federal Court for \$372,750. 'Doc' and his wife watched the auction proceedings.

FOUR HOURS TO ALASKA

Juneau Station Records Topical Stuff in Seattle

Juneau, Alaska, June 3. Tommy Tomlin, building for KINW sports and special events announcer, is in Seattle arranging a series of special news features. Interviews with prominent people will be recorded. With the new four-hour air service to Juneau the recorded program will reach the Alaskan city the same day. Inghamplank interviews were inaugurated over KINW on Wednesday, May 29, when a special program of 15 minutes from the Tacoma Chamber of Commerce to Juneau.

Kaltenborn Before Austin, June 3

By unanimous vote of the Board of Kaltenborn, network news analyst, was invited to speak before the local Chamber of Commerce on Wednesday, May 28. Commentator was here to address a local audience. Kaltenborn spoke on 'We Look at War.'

FCC HEARS THE PRESS

Invites Broadcasters to Test of Legality in Federal Courts—Calls New Rules Reflection of Congressmen's Own Desires.

'MINOR OPERATION'

Attempt to turn the fight over anti-newspaper rules into the FCC chairman James L. Fly by Federal with promise that reforms will be postponed to event of 'minor litigation.' Campaigning the radio industry to sugar and railroads, Fly took a 'let us' attitude and invited aggrieved parties to start something in the courts. The Commission will be 'happy' to let any litigation that is conducted in 'good faith,' he said. Chief reformer radiated complete confidence that the rules will be sustained by the judiciary. The newspaper regularly has been nothing more than a 'minor operation' to remove a malignancy from the industry, Fly maintained. He insisted there is no desire to 'wreck'

Washington, June 3. The Interstate Commerce Committee of the United States Senate yesterday (Monday) began pushing a resolution by Republican Senator Wallace White that would set up a study committee for the purpose of investigating the Federal Communications Commission. White's resolution has the blessing of leaders of American broadcasting, who are assembling to fight the anti-monopoly order of the FCC and to attempt to create a backfire against that body. The Monday meetings were marked by a strong statement by Fly by and strong encouragement to the industry that was hoped for from certain senators. Fly's chief point was that the commission has acted to carry out effect the very reforms that Senator White himself has previously advocated. Fly quoted to White from White.

Contab started with Senator Wallace H. White, Maine Republican, sponsor of the resolution and the Senate's most radio-minded member, advocating 'comprehensive study' of the whole situation under the FCC. Upheld in this by Committee Chairman Burton K. Wheeler, who later, in a speech, said that disappointed by putting a definite chill on the networks.

Senator Fly, asked whether the Commission had not 'gone too far' in its row with the networks, maintained that everyone would be better off if the suggested rules were placed in effect.

Committee quibbled over a CBS advertisement which displayed invalid in new stations and New England. Four of the 100 stations accredited to as many CBS stations, were called the 'newspaper' by the FCC expert. Fly also took issue with the 'newspaper' definition of CBS, which he said was indicative of what may happen 'if administrative agencies are permitted to go on.' Squabble over needs for clear-channel stations also developed.

Fly stated that the Commission shied away from the 'vast rural areas,' in order to crowd cost changes on the 'urban' market. One-half of every hour expended by a station on the coast, he said, was wasted. Fly said that the sea of the area is sent out into the sea.

Fly computed that the 'non-exclusively class' in the FCC order. (Continued on page 32)

National Defense Program Liaison

Newly Important Station Job

Full House

Washington, June 3. Number of executives, legislative engineers, and industrial explainers on hand for hearings on the White resolution just about reached a new high. As usual, NBC had the biggest contingent, but CBS and MBS ranked pretty close.

Nor did the FCC neglect to bring its hearing session. So many Commission employees turned up that it's inconceivable that much work is being done during the regular FCC hangout. Press tables were well filled, but they were occupied almost as much by greys and moustaches as by the scribbles themselves.

Cincinnati, June 3. Cecll Carmichael assumes charge this week of all national defense and public relations programs carried by WLW, WSAI and short-wave WLWO. As assistant to James D. Shouse, general manager, Carmichael, director of publicity, special events, public relations and remotes of the Crozier stations.

In extending Carmichael's supervisory and administrative duties, Shouse announced that the move was made to centralize control for the handling of increasing requests for time on the stations from various branches of the armed forces and other federal agencies concerned with national defense.

Joe Rias, who headed the public service department, serves as co-ordinator of defense programs.

Uncle Sam's Newghas Spartanburg, S. C., June 3.

WRPA, via its twice-a-week broadcasts from Cayce, here, are showing listeners the works in patriotic broadcasts. On recent broadcast was former Czechoslovakian army aide, training here. Due to parents being in Czechoslovakia, he was introduced by 'Private John,' but spilled the beans on Nazi crucifixes, etc., which he observed while in the front lines in Europe for months ago. On same program was a Greek private, whose brother was a soldier in Greek army during recent war.

AFRA OPPOSES TAX-ON-RADIO PROPOSAL

American Federation of Radio Artists has taken official notice of the proposal by the printing unions to levy a tax on the radio industry. Taking the stand that such a tax would curtail radio production, AFRA national board voted this week to protest the printers' proposal. Following with Eugene Emily Holt, national executive-secretary, and George Hilla, secretary, was sent Monday (3) to Rep. Robert L. Doughton, chairman of the House Ways and Means Committee.

'American Federation of Radio Artists, an organization comprising twelve thousand performers in the radio industry, has learned of proposed legislation to impose a special tax on radio income. We have entered into collective bargaining agreements for the benefit of our members both of the networks and of independent stations. It is our opinion that any employment of our members would be subjected to jeopardy if this tax were enacted. We are not satisfied whatever for imposing a discriminatory tax that affects radio performers and that such a class legislation not directed against any industry other than that in which we are working.'

ON AUDITIONS

Blackett-Sample-Hummert, the only agency in New York with a policy of regular talent auditions, has announced that 100 such auditions, at which 1,258 applicants were heard. Of these 700 (or 56%) were recommended by the agency directors for use on the agency's programs, and 129 (or 16%) of the latter were actually used on the air. Of 1,825 people who applied for audition, 387 either failed to appear, were not heard, or requested a post-mortem.

About 13 months ago, when the B-S-H auditioning policy was first put into effect, only 100 auditions were held. In the 13 months showed that 1,871 had applied, 1,171 were auditioned, 658 were recommended for use when suitable parts came up, and 122 were actually used.

Worcester—Clive E. Davis, former announcer at WARD, Brooklyn, has joined staff of WTAG.

WSPA, via its twice-a-week broadcasts from Cayce, here, are showing listeners the works in patriotic broadcasts. On recent broadcast was former Czechoslovakian army aide, training here. Due to parents being in Czechoslovakia, he was introduced by 'Private John,' but spilled the beans on Nazi crucifixes, etc., which he observed while in the front lines in Europe for months ago. On same program was a Greek private, whose brother was a soldier in Greek army during recent war.

Ballard Outlines KGINC Policy

New series of program being aired here through KGINC by John Ballard. The program will debut with a five-minute talk by John Ballard on the views of the station regarding programs and radio opportunity for Americanism and national unity.

Each week personal views of other station personalities will be aired by the station.

Early-Maker for Soldiers

Houston, June 3. Effective this week, radio station KTRH will open its program half an hour earlier, at 8:30 a.m., for the special campaign of KTRH, City of Wallace, Ellington Field and Camp Houston. The program will consist of recordings of numbers requested by the boys, and news items of particular interest to the boys, including stews of activities at the camps and personal items.

Special program was offered at the suggestion of the morale branch of the War Department. On the other hand, it is expected that started off all right of a morning, he will stay that way the rest of the day. The program will be a program to put the soldiers in a good humor.

KIRO Pays Off in Bonds

KIRO is paying its obligation quarterly dividend to stockholders with a new issue of bonds. The bonds, owned by the station, of the Queen City Broadcasting Co., which operates KIRO, said the station will be used to pay the bonds rather than checks for the 'July' payment because 'all citizens can buy bonds and the government's defense effort.'

Alaskan 'Patriote' Angles

Juneau, Alaska, June 3. 'A Salute to Alaska Defense Workers' will be broadcast by KIRO on June 16, airing each Thursday from 11 p.m. to midnight. The show, which will be broadcast from Yakutat, Unalaska, Annette Island, and Juneau will thus be saluted via radio.

Terrell is almost completely isolated from stations in the States.

Electricians' Strike at Frisco's KYA Brings AFRA Contract With Station

San Francisco, June 3. The International Brotherhood of Electrical Workers pulled a strike on station KYA (Hearst) from 10:30 a.m. Tuesday (7) to 4 p.m. Wednesday. As a result by-product of the strike another union—the National Federation of Radio Artists now has a contract with the station, long a hold-out, and KYA announcers and producers now are covered by a pact that calls for a minimum weekly wage of \$42.50 until May 31, 1942, and \$45 thereafter. An eight-hour, five-day week is also established with two consecutive days' work guaranteed every seven. One week vacation for six months, two weeks vacation for one year service is also provided.

Situation developed as the result of a switch by announcers from AFRA to IBEW, WJZ, which set up a special unit to accommodate them. Action was partly due to resisting KYA and partly in retaliation for AFRA's dropping of NLR and KJBS covering combo men already under IBEW.

Wires For Advice
Harold Meyer, AFRA manager, balked when the former AFRAites reappeared at his office under the new contract. Meyer called William Green for advice. Russell Pray, head of the IBEW local KYA chapter and former AFRA man who says he would walk unless demands were met, switch being in Korbnum's hands, as he is handling it. At this point attorney I. A. Korbnum, executive secretary of the Los Angeles AFRA local, was contacted and an all-day three-way session began. Final negotiations were carried on through following week, Korbnum working from a sickbed. Stricken during the session, he was hospitalized under doctor's care at St. Francis, but refused to go to a hospital.

Terms were finally reached Wednesday morning but final signing of the pact was held off by Korbnum until the station's opening and turned to the air with all AFRA members at their post. "This was no power call but a warning," Korbnum pointed out, "all we did was negotiate a contract." The attorney contended that the announced strike was irregularly never anything but AFRA and that technically IBEW had no power to call it.

Meyer termed the strike "judicial," both unions insisted it was not, resultant action being cooperative rather than otherwise. Korbnum admitted, however, that the question of combo men might require ironing out and foresaw possibility that they might have to belong to both unions to keep Frisco peace. This, however, has no bearing on KYA, which has no combo men.
Contract at KYA is retroactive to March 24 and was worked out by Meyer, Pray and M. L. Larson for AFRA; Pray and M. L. Larson for IBEW; Meyer, Pray, George Fink, Heart of Frisco, Charles Weaver, business manager of Hearst Examiner, and K. J. Mack. Understood new pact will jump pay checks as much as \$12.50 a week for most of the boys.

Harold Fair, program director for WJZO, Des Moines, Iowa, takes off the July 1 as president of the Advertising Club of Des Moines.

Two Beers With One Idea

Twin Cities True to Form in Peas-in-Pod Program Duplication

Through a coincidence or otherwise, two rival Minneapolis breweries, Golden Gate and Glueck's, have gone on the air on competing radio WCCO and KSTP. Both novelty programs that do a peas-in-pod act. The Golden Gate Bell Brewery WCCO program is "Friedly Tavern" and that of Glueck's on KSTP "Famly Tavern," with the latter of a practical, down-home comedy entertainment ostensibly emanating in both instances from a tavern. Liquor accounts are gratifying to

Howard Meighan to Wed
Howard S. Meighan, N. Y. manager of Radio Sales, Inc., CBS subsidiary, announced this week that he is getting married June 5.
Bride will be Maryelaine Pryor, of Seaside, N. Y.

U.S.O. Radio Committee Under J.R. Busk Urges Sponsor Announcements

Joseph R. Busk, v.p. of Ruthrauf & Ryan agency, is chairman of the radio advertising committee operating under the general funds-raising-for-soldier recreation campaign of the United Service Organizations of which N. Y. District Attorney Tom Dewey is the frontman. The radio committee that have been set up to get advertisers to interpolate announcements in their programs for radio time. Urged are at least two plugs during June.

Radio committee cooperated with Jesse Hutchinson, director of radio for U.S.O. It is one of the innumerable sub-divisions of the entire business world that has been set up. On the radio committee are:

- Maurice Bell, Blackett, Sample, Hornetti; Cal Swanson; Walter Thompson; Gregory Williams; Freda; & Ryan; James Gamble Rogers; Benton & Bowles.
- J. E. Loews, Jr., of Ruthrauf & Ryan, is assisting Chairman Busk in the midlevel phases.

NED MIDGLEY TO CBS AS SALES SERVICE MGR.

Ned Midgley has resigned as head time buyer for the B. B. D. & O. agency to become sales service manager of the Columbia network. Career Midgley was assistant account executive on Brown & Williamson, is taking over Midgley's spot.

Seal's Boniface Bally

San Francisco, June 3. Bob Seal, KGO-KPZO producer, who produced "Salute to America" at Hotel St. Francis, has been chosen to stage special two-hour entertainment in the Frisco Opera House for the local observance of National Week Friday (4). Seal is being assisted by his co-worker Arnold Marquis.
Talent participating will include name band leaders current in the hostilities, among them Cliff Williams, master of ceremonies. Bud Nelson, who will take turns turning Ricordi's NBC staff orch. Parade will sing "March to the Bandstand" featuring the newly signed Balboa Boys.

Cincinnati—WCKY's good will ambassador, Milton Beane, will serve as master of ceremonies for the 11th annual American folk song festival June 8 at Mayo Park, near Ashland, Ky.

RUBINOFF
And His Violin
Just completed tour of 126 cities. June 8 (Friday) "Rent Kouse Party" (Cameo Clearing) WABC CBS Network, 10:30 P.M., EDT.
Management
PHIL RUBINOFF
Paramount Theatre Bldg., New York

WRC, CENCY, ON POINT OF STRIKE

Cincinnati, June 3. First actual walkout of actor-singers-actors against a major network-affiliated station may be called today by WRC, Cency, Cincinnati, by the American Federation of Radio Artists. Negotiations between the union and WRC, Cency, Jr., the owner, have apparently broken down.
Situation is being watched by various show business unions and by the radio industry generally as a test case involving a number of precedent-setting angles. For one thing, its the first time a major station has let a dispute with AFRA get to an actual strike. The networks, agencies and some other stations have carried different views of the union almost that far in the past, but had invariably settled before an actual walkout resulted.
Emily Holt, AFRA's national executive-secretary, New here from New York, yesterday morning after several special huddles with members of the national board, indicated that if and when a strike is called, AFRA pickets will immediately be placed around the WRC studios.
Although AFRA and WRC-owner Tom Sawyer have agreed on a few minor points in the negotiations, they have made virtually no progress toward a deal on the vital issues. Principal ones in dispute are the questions of AFRA-shop and pay scales. Taft absolutely refuses to grant the AFRA-shop and the union is equally adamant.

There is wide divergence of views on the matter of pay. AFRA is demanding the station accept its regular rate for local network-affiliated stations. That is, 20% reduction from the full scales for commercials of sustaining rates—\$18.75—or a basis rate of \$18 for a 15-minute commercial program. Presently the station is paid \$18.75 for \$3.98 for that classification.

KXYZ SHOW DEVELOPS

Marjorie Hazlewood (Former Film Gab—She's a Musician)
Houston, June 3. Hollywood Highlights, film theater program broadcast over KXYZ by WRC, WGN, and WAB, Fort Worth, and soloist on WGN, Chicago. She started her career as a singer, played organ and has gradually drifted into commentary. She introduces variety into her program with Marjorie Hazlewood, whose radio background has included posts as staff musician and arranger for WRC, WGN, Dallas and WAB, Fort Worth, and soloist on WGN, Chicago. She started her career as a singer, played organ and has gradually drifted into commentary. She introduces variety into her program with Marjorie Hazlewood, whose radio background has included posts as staff musician and arranger for WRC, WGN, Dallas and WAB, Fort Worth, and soloist on WGN, Chicago.

Jimmy and Dick, yodeling-combo pair at WLBB, Bangor, Me., transferring from WEI after three days of continuous broadcasting.

'Homes for Unwanted Pets' Threatens To Spread From KAFRC to Nation

WSM Show's New Time
Nashville, June 3. Down South, NBC's red network show, broadcasts 12:30 p.m. EDT Sunday through Thursday.
Program is aired from WSM here and includes Pietro Brescia's orchestra and vocalists, including Phyllis, Pat McGar, and Louie Buck.

Four French Canadian Broadcasters Victims Of Montreal Motor Smash-Up

Montreal, June 3. French language radio in this city and province has sustained a serious loss by the deaths of four outstanding French broadcasters and the injury of a fifth in an automobile accident near Montreal Thursday night (29). The dead are Rev. Wilfrid Charbonneau, Léonidas Bouchard, and Morin, and Louis Francoeur. Prof. Louis Bourgoon was slightly injured.

All five men produced and aired in "S.V.P." (Sil Vous Plaît; "If You Please") sponsored by Glads Cigarettes, a French variant of "Information, Please," a widely popular program in this city and outside.
Rev. Wilfrid Morin, who was driving the car, which side-slipped on a loosely gravelled road while rounding a curve from the main entrance of Hoplice St. Henri, this city, and was well known as a lecturer. "F. A. LeBlond," a French variant of "Information, Please," a widely popular program in this city and outside.
Prof. Bourgoon is on the faculty of L'Ecole Polytechnique, this city.

KSTP SIGNS MUSIC PACT AFTER STRIKE THREAT

Minneapolis, June 3. Averting a strike of its musicians, KSTP has succeeded to the demands of the I. M. U. Musician's union and signed a contract at 11 terms. The contract requires the station to pay a \$1,225,000 per annum for the staff orchestra regardless of the number of hours that the musicians work. The cost will be \$4,900 more for the year which just has terminated.

When Stan Hubbard, KSTP general manager, and WAB, Fort Worth, the union filed a strike notice with him and threatened to have the national labor pull off all remote control broadcast music.

Cincinnati—William Dowdell, former city editor of the Cincy Post-Scraps-Howard sheet, starts in the WRC staff on Wednesday, June 3. A protest by Newspaper Guilders paved the way for Dowdell's stay on the Post-Scraps in a different capacity, after he was let go May 12.

San Francisco, June 3. Eastern versions of KFFC's Pet Exchange are now being flooded by the sponsor, C&O Dog Food, with one copy believed virtually set. Show, originated and aired by Frank Wright of the local agency, has been local Sunday for nearly two years.

Show finds homes for unwanted pets in addition to paturals to with the sponsor's program, an added touch is the pet exchange plan that a certain-portion of money spent for each can do this exchange function in making each pet owner a cooperative sponsor.
The show, for almost two popular, calls necessitating not only phone operators during broadcast, but also a copy of the pet exchange dog food factory in Oakland to handle files and inquiries.

On the commercial angle, the show has uncovered considerable human interest, and has helped place two alligators, a pet snake, more than 35 cures, a pack of pigeons in addition to the show's dog food and cats. Handling show, Wright has learned that:

Sure reason for abandoning pets is moving out of town or moving into apartments or hotels with restrictions.
Surprising number of pedigreed animals, with papers, are given away for free. Last week, 1,000 including 25 pedigreed great daines and over 250 thoroughbred greyhounds, shepherds and politics dogs.
Broadcasting of more than 1,500 letters to the show, and a cut to newspaper classified advertising at that spot.

522 Streters Still Out; Sponsor Ready But CBS Won't Sell Show to NBC

Columbia program department last week turned down an offer from the Stack-Globe agency for a program with Jack White, Pat Harrington and Frankie Hyers, 52nd Street show, because the account involved "Lew White, Pat Harrington and Frankie Hyers, 52nd Street show, because the account involved a fully rounded-out show for its Tuesday spot on the NBC-RCA. The CBS program department, however, has declined to buy it and built a program around this threesome as prospective service for Columbia client and that was not interested in merely making a profit on its production investment.
CBS had worked out a scheme in fashioning a radio routine for the trio and several weeks ago it reported a fully rounded-out program with them while they were working before an audience in one of the Columbia playhouses.

Dave Bennett With WJJD

Chicago, June 3. Dave Bennett, for years the president of Bennett, has joined WJJD as local sales-manager, a new post. Bennett has worked for WJJD several years as general sales manager of WJJD, will continue with the station as national sales manager.

Bennett has had a long line of local biz experience in Chicago and will be in charge of the production of classified advertising for the Daily News and Latver was account executive for the Schwimmer & Scott agency.

Union Protests Shuts Off Sokolsky

Pittsburgh Council Calls Him 'Labor-Baiter,' So WWSW Cancels Commentator

Durstine Seeks Station Date

Pittsburgh, June 3. Station WWSW, indie outlet controlled by Pittsburgh Post-Gazette, has renege George Sokolsky's program from the Post-Gazette. The protest by Steel City Industrial Union Council that commentator was on payroll of the Association of Manufacturers and laboring unions. Time, Station's prompt action brought Sokolsky to think on union heads. Post-Gazette was dropped several years ago.

Roy Durstine, who has been in the agency business on his own since 1932, has been contacted by the Steel City Industrial Union Council asking them for announcement rates on stations they have in the stipulated markets. The letter did not mention the account or the product, but Durstine noted that his requirements did not include high-powered stations.

AZCARACA ON BORDER

Aguila's Guessing Show on XEQ

Phillips Magnesia Glorifies Doctors—Carlos Riveroll del Prada Follows Yankee Ideas

Mexico City, June 3. Carlos Riveroll del Prada, American-trained program director of XEQ here (used to be with KNX, Los Angeles) continues to line up programs for the station to sell to advertisers here. He probably operates more nearly like "Yankee" broadcasters than anybody else here. Latest XEQ innovations include "Queen es Queen" ("Who's Who?"), a once weekly 30-minute show sponsored by the Aguila tobacco, as a plug for its new Embajadores (Ambassadors) Cigarettes. This show consists of the impersonation of two outstanding characters of history, literature and music doing a dialog. Audience participation angle is contest to identify characters. Those who identify one character receive a cash prize; those who can call both cop two cash awards. This program is swamping XEQ with letters from the public.

Another smash program of this station is the 30-minute show twice weekly, "Thank You, Doctor," backed by Phillips Milk of Magnesia. This show consists of the dramatic recounting of outstanding achievements of physicians and surgeons, stressing their self sacrifice, spiritual service and boon to humanity. Two of Mexico's top singers, Ramon Vinay and Evangelina Magana, operate contralto, are on this program. XEQ meantime is arranging one of its biggest shows. This is to be a "Good Will" presentation in cooperation with the Columbia Broad-

DELAY STATION FOR UNIV. OF ALBERTA

Edmonton, Alta., June 3. The Canadian Broadcasting Co. has declined so far to finance the installation of a new transmitter for CKUA, the University of Alberta's station. News of the breakdown of negotiations between the CBC and the university was conveyed in a convocation address by the latter's president, W. A. R. Kerr. A renovated CKUA had been scheduled to go on the air in May with the power increased from 500 to 1,000 watts, and the CBC has not only withheld the required subsidy, but the new commercial license for a 1,000 watt basis. The university now hopes to get this project okayed in time for a fall starting date.

Roldan Resumes Mexican Dates—After S. A. Tour

Mexico City, June 3. Luis Roldan, Mexican concert and radio tenor, is again doing programs over XEW and XEWX after a tour of South American countries. He's sponsored twice-weekly by Tabacalera Mexicana, a tobacco firm. ing System to cement relations between Mexico and the U. S. and other Latin-American countries. June 21 is the date for this one-timer.

200,000-WATT IS ORGANIZING

Station Under Name of Ex-President Rodriguez of Mexico But to Be Operated by XEW-XEW Syndicate on 'High Class' Basis

MORE TO COME?

El Paso, Texas, June 3. A 200,000-watt radio station will be erected, according to Emilio Azcaraga, Mexico City radio and theatre man at Zaragoza, Mexico, near here, by Gen. Abelardo Rodriguez, Rodriguez, an ex-president of Mexico and one of the republic's big business men, was granted permission to erect a plant at Nogales, Sonora, but was unable to receive adequate power and land line connections with Mexico City. A clear channel wave length has been granted and station will operate in both English and Spanish. Station will take to the air in six or eight months, according to present plans. Azcaraga will manage the property of the new station. He is head of syndicate controlling Mexico City's XEW, with 100,000 watts, and XEQ, 50,000 watts. New station which is expected to cost about \$300,000 will be the most powerful station on the continent. It is considered likely that in addition to the right to operate the

Survey-Suspicious Mexico Tries Anew

La General Anunciadora Agency Seeks Data on Radio Popularities

CARLOS RIVEROLL HAS AMATEUR WRITER SHOW

Mexico City, June 3. Mexican radio, which resembles U. S. broadcasting in its addition to amateur shows under various guises, has a new toy series sponsored by Jueves de Excelcion, local weekly mag, over station XEQ, 50,000-watt in Mexico City. Carlos Prada Riveroll, program manager of XEQ, handles the show, which is scripted by Simon pure authors. Winning scripts are selected by a committee from the station and the sponsor mag. There are cash prizes and the most likely authors are to be given contracts by the station, it is announced. Program airs twice weekly, with regular radio casts.

San Luis Obispo, Cal.—Myron A. Mears, announcer and transcription artist on local station KVBC, has resigned to take a network job in Los Angeles. He'll first go to New York for a vacation.

Azcaraga syndicate will have at least 50% ownership of station. This enterprising group of Mexican business men has apparently been discouraged in a proposition pending for some time to create three, not one new border stations on a "high class" basis in contrast to the goat gland and horoscope factories. Azcaraga group is now building an elaborate hotel at Acapulco on the Pacific Coast

BY DOUGLAS GRAMAME

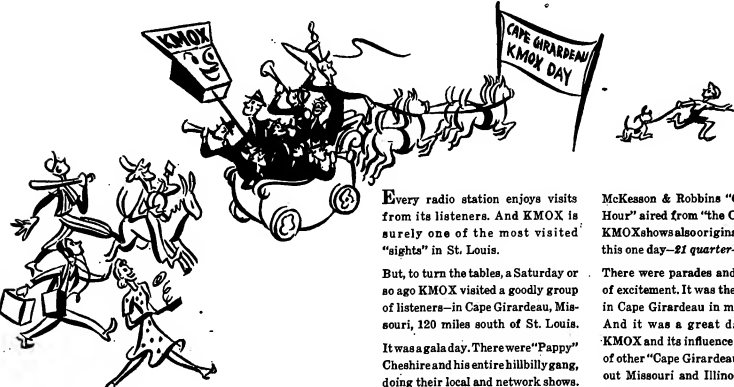
Mexico City, June 3. First republic-wide survey of Mexican radio is being undertaken by the advertising agency, La General Anunciadora. Survey will attempt to chart the most popular programs on all Mexican stations. It is hoped to have the data in by late this month. Anunciadora is trying again to get factual data on radio habits here. This has been a matter of opinion and observation rather than statistics and organized information heretofore.

Mexican people usually are not responsive to ordinary radio research methods. Small number of telephone subscribers in relation to population stands use of the Crossley field check method here. On the other hand illiteracy and suspicious natures have generally doomed most post card attempts to corral info.

Anunciadora is anxious to bring some order out of the chaos of Mexican radio guesswork. In particular the agency wants some impartial evidence on local entertainers and announcers as to established popularities. Radio is going ahead great guns in Mexico but some advertisers are still chary of the medium. And there is the question of costs and how to justify them, even though these may seem extremely nominal by Yankee standards.

El Paso, Texas—Addition to the staff of station KRDD is Ann Farrington Hadlock, to aid Merle H. Tucker, general manager.

KMOX goes a-visiting



Every radio station enjoys visits from its listeners. And KMOX is surely one of the most visited "sights" in St. Louis.

But, to turn the tables, a Saturday or so ago KMOX visited a goody group of listeners—in Cape Girardeau, Missouri, 120 miles south of St. Louis.

It was gala day. There were "Pappy" Cheshire and his entire hillbilly gang, doing their local and network shows. Charley Stookey put on his "Columbia's Country Journal" from there. France Laux did his regular Sports Review and also his weekly Sports Quiz. Jane Porter originated her "Magic Kitchen" broadcast, and the

McKesson & Robbins "Opportunity Hour" aired from "the Cape." Other KMOXahowalsooriginatedthereon this one day—21 quarter-hours in all.

There were parades and all manner of excitement. It was the biggest day in Cape Girardeau in many a month. And it was a great day, too, for KMOX and its influence in the scores of other "Cape Girardeaus" throughout Missouri and Illinois that comprise KMOX' bonus for advertisers in the St. Louis market.

This was but the first of a series of "Days" planned by KMOX to cement friendships throughout its entire coverage area.

KMOX THE VOICE OF ST. LOUIS • 50,000 WATTS

Owned and operated by CBS. Represented nationally by Radio Sales: New York • Chicago • Detroit • Charlotte • San Francisco • Los Angeles



From The Production Centres

IN NEW YORK CITY . . .

Rose Hampton goes Tuesday (8) on the Coca-Cola program, with Andre Kostelanetz, and June 12 on the Promenade Concert broadcast from Toronto. . . . Seymour N. Siegel, program director of WNYC and a lieutenant in the naval reserve, called for active service June 16. . . . Robert Berler, radio operator of the same station, has also been called and William Ficklin, supervising design and construction, is liable for immediate call. . . . Robert Louis Shayon, who directs 'We Are Always Young' over WOR-Mutual, upped to the title of senior producer of WOR. . . . Roger Bower is the only one similarly titled member of the staff. . . . Bob Beryly has given up the 'Friendship Bridge' series over WMCA to add a short-wave broadcast via WRUL, Boston, to his regular 'Rainbow House' series over WOR. . . . 'The Tales' built the stories of cab drivers and their passengers, being read for agency audition by Jess L. Kaufman production office, from script by Lew Arhimsh.

Sally Benson, whose 'Junior Miss' stories in The New Yorker have been put into a novel coming out as a June 'Book of the Month' selection, broadcast on Columbia's 'Of Men and Books' May 31, and will guest on 'Information Please' over NBC blue, June 8. Mrs. Benson aired on the Columbia program from New York, although it is handled from Chicago by John T. Frederick, professor of journalism at Northwestern University, with the assistance of Parker Whelpley.

Edward Longstreth, radio director of Colgate-Palmolive-Peet, was sent to the Government by the company to set up and supervise the script for the special United Service Organization program last night. . . . Edward McGill directed, Bob Trout was m.c. and Mark Warnock musical director on the show which originated in Washington, with pickups from Indianapolis and Annapolis.

Jimmie Cannon, the ex-Broadwaying on WOR's show from Camp Dix transferred to city at Ft. Jay, Governors Island, and is already off the show. . . . Sydney Greenstreet, of the Lunt-Fontanne left radio, had the Major Hoopie lead in 'Our Boaring House,' when a radio version of the comic strip was auditioned by Rutherford & Ryan last week as possible summer replacement for 'Big Town.'

Lou Frankel started Monday (2) as new press agent of new station WBYW, which is occupying former 4th street premises of WOV. This is the station formed by a merger of three former Brooklyn smallies. . . . Edgar Grunwald and wife off to Virginia and Wisconsin for three-week vacation between Yasany and Business Week jobs.

IN HOLLYWOOD . . .

Rudy Vallee won't take that vacation at his Maine lodge all day. Seal test sponsor, after many on and offs, decided against moving the show east, given for a couple weeks. . . . Dorothy Lamour planes to Chicago on her return from Honolulu to lead off the guest parade on the Holland Furnace series over NBC. . . . NBC newscast in N. Y., Lars Skatkebol, looking over the cinema city. . . . NBC suffers and divotter will take up the tux at Palos Verdes June 7. . . . Blondie, which started for Camels as a summer sub, last week wound up its 100th broadcast. . . . Tommy Lee got around a city ordinance neatly when he installed a swimming pool on the grounds of his new television plant in the hills overlooking Hollywood. City fathers ruled he must have a watershed to fight fires, if necessary. Pool will be made to double as a swimming pool. . . . NBC will hold a series of nationwide telecasts by WEXAO. . . . Basil Rathbone and Nigel Bruce have been re-signed to continue their 'Adventures of Sherlock Holmes' over NBC next fall. . . . Hal Boek, NBC cast publicity director, now a commercial raiser of avocados in the valley. . . . Jimmie McHugh and L. Wolfe Gilbert wrote 'Confessionally Yours' as a theme for George Fisher's film gabber on Mutual. . . . Sam Baller's sponsor picked up another 10 stations on the Don Lee net for his sports series.

IN SAN FRANCISCO . . .

KSFO is trying out a new system for audience shows. Instead of picking up tickets, fans are asked to phone their reservations, names being checked off as they enter studio. . . . vacant chairs remaining just before broadcast time are released to late comers. . . . Oakland Junior Chamber of Commerce won first place in contest with 20 other state chambers for most radio activity between July 1, 1940, and May 14, 1941, wangling 85 hours and 45 minutes of air time. . . . KROU contributed the largest single bank, 48 hours and 15 minutes (100 programs). . . . same station now giving the Community Chest full cooperation with a series of 52 weekly quarters tabbed 'Heart Throbs of a City'. . . . Lincoln Dellar, KSFO general manager, named honorary director of Salinas, Cal. . . . Tommy Frelan, NBC engineer from New York, addresses the Optimat Club here Thursday (12) on NBC's New Building.

Let's look at the RECORD

RESULTS COUNT MOST

Let's look at the RECORD

PATROLL - TRAFFIC

Hartford—G.H. Bayek, first-acting WDRG announcer and presy of the city's Strictly Swing Club, turned Elliot Miller of spelling staff members, has joined new FM station in Schenectady, N. Y.

Hallifax, N. S.—Frank Segee, formerly of CFNB, Fredietion, N. B., has become CBC news operator at CHNS, Halifax, N. S. . . . Hans Schanders, who had been in that position since the CBC established a new broadcasting unit in Halifax this past spring, has returned to newspaper work.

New York City—Warner Hall has joined sales department of WOR, New York, filling a new post in charge of sales records and time charts. Change leaves Herman Maxwell free to service business from WOR's offices in Chicago, Boston and San Francisco.

Tom Flanagan, formerly head of the magazine division of CBS publicity, has been given supervision of the staff and handling all copy for dailies and news releases. He will succeed John Denison, who resigned to join the Washington staff of Time magazine.

Portland, Me.—Arlyn E. Barnard, formerly a well-known kid actor on WGSB here, named to head Opportunity Farm, school and home for orphaned boys in nearby town.

Salt Lake City—KDYV adds Les Schaefer, an engineering staff member, to his staff with John Baldwin, chief engineer.

W. H. Halliday returns to KSL this time to take over job of director of music broadcasts. This will include all additions. He will also do a daily 15-minute period of organ music, with Harry Clark vocal.

KUTA adds Jack Burnett as sales man to replace Arnie Clark, called to the national office in Chicago. Comes from managing KBID, Muskegon, Oklahoma.

St. Louis—Earl Mely, formerly program director at WLOF, Orlando, Fla., has joined gabbing staff at KSL.

George Abel is back on gabbing staff at WFL. Replaces Bob Rawson who returns to chess plant that's filling national defense orders.

New York City—Larry Blenheim, formerly with WOV, New York, and previously with WFAS, White Plains, N. Y., has joined the gabbing staff of WHN. Other recent additions to the WHN announcer staff are Ray Winters and Heriot Provencher.

Pittsburgh—Newly-created post of Agricultural Director at KDKA has been assigned to Donald C. Lerch, Jr.

Detroit—Art Middleton, square dance caller with the Tim Doolittle gang on WJR, is the first to go into uniform. He got married just before enlisting for Camp Davis, N. C., where he's in the 84th Coast Artillery.

Wichita, Kans.—Mary Lou Bannion, home economics expert, is new KFLB.

Clarence Rupp, formerly promotion manager of KFEI, is now advertising manager of the Chronicle at Abilene, Kans. Replaced at KFEI by Bill Summers, upped from staff continuity writer. Summers is a student of H. B. Summers of NBC, New York.

Schenectady, N. Y.—In a series of changes at WCVY, Schenectady, Jeanette Swart was promoted to the press department, vice Robert W. Winters. Dorothy Cunningham, receptionist, moved up to the music rights department; Arthur Roberts, former clerk, became a student engineer; Athena Doo Leeds took over the files; Charles Gallagher joined the accounts department; and Dorothy Lankman and Loretta Lesneske became receptionists.

Nashville—The Golden West Cowboys are back at WSM after a year's absence in Louisville. The Joe Frank outfit has new yodeler, San Antonio Rose.

Aidan Fitzpatrick has joined announcing staff at WSM. From WJFR, Greenville, Miss., and KDKA, Pittsburgh.

Chicago—Helen Jane Oppagard joins WBEW news staff under J. Oren Weaver.

Council Programs: 1940-41

Denver, June 3.

The following is a summary of the various region programs produced by or in cooperation with the Rocky Mountain Radio Council during the present 1940-41 season. The commercial radio stations carrying the programs and the number of weeks of broadcasting are also indicated:

'HISTORY IN THE MAKING': The week's biggest headline as it affects the Rocky Mountain region prepared by authorities in economic, political science and history at the University of Colorado. (52 weeks.)
KVO, KGHF, KGIV, KIUP, KPJK, KVRS, KDPN, KWYO, KGEK.

'BEWID AND BETWEEN': The adventures of Louise Tanner, whose typically adolescent heartaches, problems and triumphs make excellent listening, especially for parents and young people. Colorado State Board for Vocational Education and the Colorado Congress of Parents and Teachers. (8 weeks.)

KOA, KPBC, KIUP, KGIV, KOKO, KGHF, KIDW
'JOURNEYS BEHIND THE NEWS': America's place in the international scene today, by Dr. Ben M. Chertin, and guest speakers. Foundation for the Advancement of the Social Sciences, University of Denver. (30 weeks.)

KYZ, KVOR, KPJK, KIUP, KDPN, KGIV, KVRS, KOKO, KYAN
'AGRICULTURE IN THE NEWS': Important new developments and current topics concerning Rocky Mountain agriculture. Colorado State College of Agriculture. (52 weeks.)

KVO, KGHF, KIUP, KPJK, KOKO, KGIV, KIDW
'WHAT CAN YOU DO ABOUT IT?': Discussions by faculty and students about every-day interlocking, current problems, the arts. Colorado College. (30 weeks.)

KVO, KKLZ, KVOR, KOKO.
'A WOMAN'S WORLD': A series of studies of what Rocky Mountain women have done for the betterment of mankind; in science, art, humanitarian endeavor. American Association of University Women. (5 weeks.)

KOA, KPBC, KPJK.
'PIONEERS LIVE AGAIN!': Exciting dramatized chapters in Rocky Mountain history. University of Wyoming. (52 weeks.)

KDFN, KWYO, KVRS, KFBC, KPVO.
'THE TEEN-AGE GIRL': College and non-college girls look at life and at themselves; dramatized problems of young women today as told to the College Counselor. Colorado Woman's College. (6 weeks.)

KKLZ, KVRS, KIDW, KGHF, KPBC.
'LET'S LOOK AT LATIN AMERICA': A series of six broadcasts designed to give information about the culture, history and economy of Latin America. Presented by the Latin American Center of the University of Denver. (6 weeks.)

KVO, KGHF, KIUP, KGIV.
'JOB FUTURES': Little known job opportunities and how both young people and adults can train for them. Dramatized. Denver Public Schools. (8 weeks.)

KLZ. (Completed.)
'ONCE UPON A TIME': Well-told stories for children. Denver Public Schools. (52 weeks.)

KOA.
'ROCKY MOUNTAIN SCHOOL OF THE AIR': Broadcasts to schools in civics, music, home economics, consumer education, vocational education. Colorado State College of Education. (12 weeks.)

KPJK, KYAN, KPJK.
'SOLDIERS AND SAINTS': 400 years of Jesuit history; the dramatized chronicle of heroes, martyrs and colorful figures known to two hemispheres. Regis College. (6 weeks.)

KFEA, KFEL.
'WE DEFEND AMERICA': How America prepares for defense on a gigantic scale; the role of the war industries in our life today presented by the College of Engineering of the University of Colorado. (10 weeks.)

KEL, KPFA, KYAN, KOKO, KDPN, KGEK, KVRS. (Completed.)
'MEDICINE, 1941': Up-to-date facts of new drugs, new ways of fighting epidemics, advances in the field of psychiatry, etc. School of Medicine of the University of Colorado and the Colorado State Medical Society. (10 weeks.)

KFEL, KPFA, KYAN, KOKO, KDPN, KGEK, KVRS.
'DESIGN FOR DEMOCRACY': Dramatized forum on regional issues. University of Denver. (10 weeks.)

KFEA. (Completed.)
'MAN AND MINERALS': Dramatizes the important role of minerals in everyday life. Colorado School of Mines. (18 weeks.)

KOA, KPJK, KIUP, KDFN, KWYO. (Completed.)
'YOUR HOME AND GARDEN': About flowers, landscaping and vegetables. Colorado State College of Agriculture. (16 weeks.)

KVOR, KPJK, KIUP, KGIV. (Completed.)

CHANGE OF ADDRESS

As a preliminary to an increase in power to 50,000 watts to be effected shortly, Radio Station WINLS has moved into new studios—the last word in technical design and layout, planned and furnished for high quality production with the very latest equipment.

**28 WEST 44th STREET
NEW YORK, N. Y.**
TELEPHONE: BRYANT 9-6000

WINLS

"New 1000 on your dial"
"Easy to remember, easy to dial"

DENVER RADIO EXPERIMENT

HUDSON PROJECT GETS INTO STRIDE

Rocky Mountain Air Council Playing Big Role in Building Special Programs With Educational Aspects for Isolated Colorado-Wyoming Section

BEING WATCHED

Denver, June 3. Germinated in 1937, launched in 1939, intensified this year, the Rocky Mountain Radio Council of Denver is today probably one of the most unique forces operating within and sure to have influence upon American broadcasting. During its first nine months of operation the Council produced for its 16 member organizations 222 radio programs. As of 1941 it averages 16 programs a week and these, because they are transcribed and released on various Colorado-Wyoming stations, amount to about 60 broadcasts weekly.

This vast focus of educational program activity is financed by \$16,000 in grants from the Rockefeller Foundation and Payne Fund of New York and the Boettcher Fund of Denver.

The Radio Council aids its members in the planning, editing, directing, broadcasting, and transcribing of their programs; in initiating and completing broadcast arrangements with radio stations in all parts of the region; in giving publicity to programs through radio, newspapers,

and printed announcements; in obtaining copyright clearances on music and literature; in discovering and developing radio dramatic talent for use on educational programs. There are increasing demands made upon the Radio Council by its members for script writing. The Radio Council, while assuming some leadership in discovering and developing the radio program resources of the region and in building programs to meet regional needs, remains essentially a program service agency.

The Council provides an unofficial Rocky Mountain Radio Network for educational broadcasting. This network is accomplished through the use of electrical transcriptions; programs of educational organizations being produced as "live spot" broadcasts on one station, and being recorded for subsequent broadcast by stations in other parts of the region. For example: During 12 consecutive weeks, a University of Denver broadcast was originated in the studios of KIZZ in Denver; was simultaneously relayed by wire to Colorado Springs and broadcast from KVOR; was simultaneously transcribed in the recording studio of the Council, and subsequently broadcast by transcription, from KFJXJ in Grand Junction, KIUP in Durango, KDFN in Casper, and KVPS in Rock Springs.

Its Significance

The Rocky Mountain Radio Council is regarded as of special significance in the future of educational broadcasting because of (1) those who have encouraged it (2) the nature and extent of the practical production experiments being carried through and (3) the testing of results which is an integral part of the whole. Finally, there is the added fact that the Council provides a kind of radio program that in a particular kind of remote mountainous region (Colorado and Wyoming) would almost certainly not otherwise be available. Nine of the area's radio stations have no network af-

filiation and the seven stations in the zone which do have network lines (but sometimes cannot get network service because of the lines not being open) lack local program staffs and facilities to give much direct aid to non-commercial organizations interested in producing radio programs of an enlightenment character.

With regard to results' Director Hudson has stated:

"In March, 1940, the Radio Council conducted several surveys to determine the extent of its listening audience. One survey conducted by telephone in Denver indicated that approximately one-sixth of the set then in use were tuned in to the Council program—a percentage considerable above the national average for listeners to educational programs. In Grand Junction, Colorado, where two programs were tested, the Council offering had three-fifths and four-fifths respectively of the listening audience. In Durango, Colorado, where a single station can be heard in daytime hours, a morning broadcast of the Council of course had a 100% listener response—thus tending to support the earlier technical claim, namely, that since few network programs reach such isolated communities, cultural programs of superior quality form a much needed service.

Similar broadcast experiments conducted with comparable results in Greeley, Colorado, and in Casper and Rock Springs, Wyoming. These surveys were conducted through the public schools with the following technique, which can be used only by non-commercial educational organizations. Prepared materials were distributed through the Superintendent of the schools in every school room. Just before noon recess the ballots were given to all pupils with the re-

Rocky Mountain Council Members

- Adams State Teachers College
- Adult Education Council
- Association of University Women Colorado College
- Congress of Parents and Teachers
- Education Association
- Federation of Women's Clubs
- Library Association
- Colorado Medical Society
- Colorado School of Mines
- State College of Agriculture
- State College of Education
- State Department of Education
- Colorado State Grange

- Colorado Woman's College
- Colorado Women Citizens' League
- Denver Public Library
- Denver Public Schools
- Farmers Educational Union
- Hill School of Theology
- Loretto Heights College
- University of Colorado
- University of Denver
- University of Wyoming
- Western State College
- Wyoming Education Association
- Wyoming Department of Education

quest that parents be asked to mark them and return them immediately. Since the schools cut across all economic and social groupings, it has been felt that these ballots reach a fair cross-section of the population. Promotion of interest in the programs themselves, it was hoped, proved to be an important by-product. The Radio Council experiments indicated that about half of the questionnaires were returned on the same day they were sent out.

Council Anecdotes

As with all organizations that deal with radio programs and the public the Council has its own stock of anecdotes of a revealing and sometimes humorous nature. There was, for example, a rather frantic letter to Director Hudson recently named "A Woman's World." The letter read:

"Please send me a script of the program on art scholarships for school children in Colorado. I am the chairman of the scholarship committee, and since your program on this subject have received 40 or 50 letters asking for additional in-

formation. I forgot to listen, but because of all these letters maybe I'd better find out what they are all about."

On a recent Colorado College program, produced through the Radio Council, a certain professor became very disturbed about the ban on the theme song for the series. The program director patiently explained about ASCAP. "Well, in that case," said the professor, "I'll whistle it! He did, too, until a frantic station engineer cut out the microphone—presumably before ASCAP could find a good lawyer."

"The Radio Council also finds that people often expect too much. As when the Colorado Woman's College produced a transcribed 15 minute musical program in the Council studios. 'Would you like to have it played back?' asked the engineer. 'Please,' answered the musical director of the college. 'But you'll have to play it back in five minutes instead of 15 because I have a very important engagement!'"

Fortb Worth—H. R. Turner has been added to the sales staff of station WJAF-KGCK.



Magie—by Godfrey!

That singular Arthur Godfrey of WJSV, Washington . . . aviator . . . horse breeder . . . supper club and theatre entertainer . . . naval reservist . . . has now become Godfrey, the Magician. For Arthur Godfrey has proved since April 28 that a man can be two places at once. Godfrey is heard by the home town audience and his new WABC audience simultaneously—with different programs.

(No, it isn't done with mirrors; it's just the difference in time.) Godfrey is now holding down (and building up!) the important "breakfast hour" periods in both the country's wealthiest per capita market and its largest spending market.

At WJSV, we call it salesmanship. For many years here in Washington, Godfrey has told his audience; this is the item to buy. And they go out and buy it.

A quarter-hour on Godfrey's WJSV "Sun Dial" morning period will soon be available. Ask us about it!

WJSV Columbia's Station for the Nation's Capital
50,000 WATTS

Owned and operated by the Columbia Broadcasting System. Represented nationally by Radio Sales: New York • Chicago • Detroit • St. Louis • Charlotte • Los Angeles • San Francisco

No Vacash for WOR Femme Airlers As Hot Weather Commitments Boom

An exploitation deal between WMCA and 48 KGO there in metropolitan New York has been completed between Don Shaw, General Manager of WMCA, and Malcolm Kingsberg, v.p. of the KGO Theaters. The deal swoops programs on WMCA for jobbing spots and a 55 foot trailer about the station to be shown in the theatres nightly.

Program of film gossip, "Mr. Hollywood" (Julius Coetz, WMCA's drama critic) has begun.

As a part of an intensified drive for summer business, WOR New York

is reversing previous plans and will be reversing the schedule of its regular casters on the air over the summer. They are Beasie Beattie and Inogen. Inogen is a radio personality and is sponsored and both have contracts that call for extended summer appearances.

Moves are in recognition of and intended to capitalize further on the volume of business summer periods. Unlike the other network-affiliated stations in New York, the Mutual outlet has, in the last few years, added an unusual number of accounts during the summer months. Such business is figured almost pure velvet, as the summer trend is generally the reverse. Also, in the case of WOR, some of the summer newcomers have invariably remained on the air thereafter.

Specifically, a recent survey by the station indicated that 72% more summer advertisers used WOR during 1940 than in the corresponding period of 1939. And from a listening standpoint, the survey tended to show that daytime audiences for July-August, 1940, were 10% larger than the previous year. That nighttime audiences for the same period were 15% greater.

WINS: Watchtower radio through Radio Adv. Corp. of America, 41 announcements over a period of seven weeks; "The Fishel" radio weekly, through Northwest Advertising, six five-minute programs.

WMCA: Chubb & Son (marine insurance), through Albert Frank Guenther Law, ten-week contract, three five-minute programs weekly; "Weekend Weather News", KRO theatres, 26-week contract, daily five-minute program, at Hollywood; and announcements.

WNBC: Parfum L'Orle, through Joseph Lynch and Fishel, five-week contract, three one-minute announcements weekly; Lahn, Inc., Protection of Automobiles, through direct, daily participation; "Zeki Manners" program; Philco Distributors, New York City, through field-Godley, 13-week contract, five announcements weekly; Virginia Dairy Extract Co. (dairy extracts), through Clements Co., spot announcements; Kent Stores, through S. M. Leon, renewal, ten-week contract, participation, three quarter-hours weekly; "Make Believe Ballroom", Procter & Gamble, through Pedler & Ryan, 52-week contract, participation, three quarter-hours weekly; "Make Believe Ballroom", New York-Jersey Underwriters Agency of Newark, through Seck Advertising, 18-week contract, five quarter-hours weekly.

WOR: Reader's Digest, through B. & O., one one-minute announcement; Serutan, through Ruthrauff & Ryan, 52-week contract, various time periods; Zonite Products (Forhan's), renewal for one week; American Cigarette & Cigar (Pal Mall), through Ruthrauff & Ryan, one-minute announcements, two times weekly; Ken Laboratories, one one-minute announcement, "Farmers Digest".

WQXR: Franklin Simon's Sport Show in conjunction with the Santa Fe Railroad, through Hirshon-Garfield, four spots weekly; Seaboard Radio, participation, "Travel Horizons".

SPOT ROSE IN PHILLY

Figure Drops to 6.3%—Swimming Pool on WIBG

Philadelphia, June 3. Opening of the outdoor swimming season has brought a newcomer to Philly air time customers. The Leonard Pool, on the Philly-New York highway, last week contracted for 15 one-minute programs each week on Doug Arthur's "Danceland" recording show on WIBG for the remainder of the season. The account was placed direct.

The same outlet snagged a series of five-minute musical shows seven days a week for a 13-week period for the Columbian Protective Association, New York (Insurance),

Comparative Unit Count		
	May 31.	May 24, Change.
Network ..	9,250	+2.50
Local ..	15,941	14,618
Natl Spot ..	4,255	4,002
Total ..	29,446	26,629
(Included: WTV, WCAY, WDAF, WEIL, WIBG, WFNZ)		

SEATTLE UNITS MOUNT Web, Spot Gains Slightly—Local Is Under Par

Seattle, June 3. Business in Seattle has made a slight gain, continuing the steady upward movement which is being shown in all the Pacific Northwest. Local was the only figure remaining in the red.

Comparative Unit Count		
	May 31.	May 24, Change.
Network ..	7,315	7,210
Local ..	6,585	6,578
Natl Spot ..	807	802
Total ..	14,707	14,590
(Included: KIRO, KOL, KRSC)		

INDUSTRIES USE RADIO TO FILL BALTO JOBS

Baltimore, June 3. New angle for time buying here is the industrial plants handling defense orders utilizing air to attract skilled and unskilled help. Drain on general labor market also affecting retail and office employment needs, with jobs going begging all around here. Also, new radio usage are concerns buying in on WBAL's "Bonds of Loyalty" program, which sponsors Defense Stamps and Bonds. One-time quarter-hour spots are strictly institutional in nature.

WBAL: "Bonds of Loyalty", quarter-hour sponsored by the Fidelity & Deposit Co. and Anchor Post Fence; KRO Films, for "Fantasia", through Lord & Thomas, five spots; Consolidated Gas & Electric Co., 28 one-minute transmissions; Gardner Nurseries, through Northwest Radio, six five-minute units a week.

WCAC: Corkran-Hill (speakers), through H. B. Green, 32 p.m. spots; Light & Cream, through Courtland D. Ferguson, renewal 252 announcements; Howard Cleaners & Dyers, through Harry Fritz Co., 10 one-minute announcements; Schmidt Baking Co., via W. E. Long, 200 participations; Grayson Business College, through Leon Gornick, six spots weekly; Consolidated Gas & Electric Co., 18 spots; Lewis Bros., through Ruthrauff & Ryan, daily announcements; KRO Films, through Lord & Thomas, for "Fantasia", 10 announcements.

WFBZ: Corkran-Hill (speakers), through H. B. Green, 104 spots; Union Trust Co., via Maurice Aziel, 13 five-minute programs; Shell Oil, through J. Walker, (Rinco), 10 spots; McGowan-Educator Foods, through John W. Queen, 39 announcements; Burke-Savoy, through Co., via Leon Gornick, 12 spots.

Comparative Unit Count		
	May 31.	May 24, Change.
Network ..	6,320	6,368
Local ..	5,007	4,980
Natl Spot ..	1,772	1,869
Total ..	15,099	15,215
(Included: WBA, WCAC, WCBM, WFBZ)		

DETROIT UNITS DROP All Categories Off—But Total Tops 1940 Figure

Detroit, June 3. Unit changes there were nothing major during the week, but causing concern is the fact that the decline here was general, hitting all categories. Everything slacked off slightly, with the local business off three percent after registering a substantial gain last week.

However, picture isn't somber considering the seasonal position. Compared with the same week of last year, network time is only 100 units below the count of 1940; local business is up 100 units; with national spot also slightly higher than a year ago. Full time carrying of the blues around sales staffs was the fact that the decline here was general, hitting all categories. Everything slacked off slightly, with the local business off three percent after registering a substantial gain last week.

Comparative Unit Count		
	May 31.	May 24, Change.
Network ..	6,225	6,482
Local ..	12,257	13,004
Natl Spot ..	4,791	4,882
Total ..	23,148	24,678

KDOW, San Francisco Indie, Nabs Oakland Dept. Store for Sport Pgm.

San Francisco, June 3. KFRC collected a flock of renewal contracts this week, a fact pleasing to sales departments as evidence of a job being done among those who are being sufficiently convinced to re-live their lives.

Euclid Candy, carrying on its "Junior G-Man" quarter-hour for an additional 13 weeks; Fels Naptha soap, which extends its participation in the KFRC "Brother Club" for a similar period, and Yellow Cab, holding its five-minute "Story Teller" show for another 30 spots.

Local stations picked up a flock of spots from RKO pictures in behalf of the "Citizen Kane" opening at the Geary, with Donahue & Coe as the agency.

Another department slurr grabbed a lungful of air this week with KROW's signing of the J. J. Krieg Co., Oakland. Firm is underwriting Wednesday's quarter-hour "The Fish Finder" sport shot conducted by Al Accord and Bert Frazier, India outfit grabbed score direct.

KFRC is preening itself on the handling of the Standard Symphony pickup from the other radio units of Richmond, first time in history applause was used on the show. Airplay went like magic and those concerned were not displeased to learn that the sponsor calls it the "best symphony pickup we ever had by any orchestra anywhere at any time." Due to success of the outside production an attempt to repeat was made Thursday (5) by airing the work from George Washington High School auditorium here.

NBC is climbing on the Civilian Defense bandwagon, and serviced a luncheon in Hotel St. Francis by piping a special transcribed talk by Mayor LaGuardia direct from the KGO-KFO control room to the meeting.

KGO-KFO talent likewise is getting the nod for Frisco Country Club's annual fling at a \$8-plate gridiron dinner. Oddly enough, this carried the NBC sales Co. to the top. He is new prey of the club, and the talent lineup looked too much like a sales job. The new power, picked what it wanted, signing Larry Keating as m.c., Ricardo and his orchestra, Herb Chaney and others. Also from radio will come famed KFRC singles, Jack Keating & Tammy Harter, and NBC singer Patricia Lynn, former NBC singing accordionist, giving her talents to a clean sweep at the Wednesday (4) affair.

KSFO's "Farm Journal" has landed another participating sponsor in California Spray Chemical Corp., Long Advertising Service is giving them a test run of three-a-week over a five-week span.

Same outlet is making a new drive on radio newspapers while doing its bit for the Price Junior Chamber of Commerce. A new Junior Chamber series based on northern California industries will include pickups from several press plants.

W. Campbell, new KGO-KFO sales promotion manager, has cooked up a new answer to the summer blues, contending that less than five percent of KGO's audience is vacationing at any one time and that those who do stay within a 100-mile radius. His predecessor, Bob McAndrews, is using results of a University of California Explorer (who is KGO originator) to show that Coast Blue listeners have an IQ of 110, 10 percent above average, and is 40 questions asked of 2,000 answers to 40 questions asked of listeners by Explorer over one quarter-hour shot.

KFRC: Euclid Candy Co., through Sidney Armitage, 13 Monday evening quarters; "Junior G-Man" (renewal); Armand Co. (Berk's cream), through Russel Seed, six-minute transmissions; Rainer Brewing Co. (beer), through Buchanan & Co., 10 one-minute announcements; KRO Motion Picture Corp., through Donahue & Co., 12 spots for "Citizen Kane" is beneficial study (benefit), through Stodel Advertising Co., 13 quarter-hour transmissions; "The Quiz", Olympian (beer), through Botsford, Constantine & Gardner, 30 one-minute transmissions; American Health Association, through Theodore H. Segal, 260 five quarter-hours, Monday through Friday, "Voice Message"; Yellow Cab Co., through Rulus Rhoades, 30 tri-weekly five-minute spots; "Story Teller" (renewal); KGO & Coe), through S. E. Roberts,

39 Monday, Wednesday and Friday quarter-hour participations; "Breakfast Club" (renewal); W. P. Fuller & Co. (paint), through McCann-Entire, 13 spots.

Comparative Unit Count		
	May 31.	May 24, Change.
Network ..	9,585	9,480
Local ..	13,215	12,943
Natl Spot ..	1,340	1,341
Total ..	15,231	15,118

*No change: KFRC, KGO, KIBS, KFO, KSFO)

Ray Bady, station manager at KWIC, St. Louis, who doubles as news commentator, has signed a third daily broadcaster, the Lammet Furniture, through McCann-Entire & Studebaker Dealers.

WHEELING

A Great American Market

"84 Cents Per County"

'At the basic quarter hour daytime rate of \$42.00, you can effectively place your product before the 3,051,400 populated primary area of Eastern Ohio, Western Pennsylvania and Northern West Virginia served by WVVV at the ridiculous low figure of 84 cents per county. There are fifty of them in the heart of the now thriving steel and coal belt of the nation.'

BLAIR REPRESENTS US

BLAIR ADVERTISING CO.
EST. 1914

KWVW

**50,000 WATTS
SHREVEPORT, LA.**

CBS

Serving one of the nation's riches and most prosperous markets

MARY SMALL
 With Bob Friends, Myer Lapor
 W. B. Dan Seymour, Phyl Wagner
 Orca
10:15 P. M.
SPUD CIGARETTE
 Tuesday, 8:15 P. M.
WOR-Mutual, New York
 (Weiss & Geiler)

This weekly 15-minute musical comedy with Harry Stone as a companion-piece to Danger Is My Business is one of the same old same old nights over the same 17-station Mutual hookup. Bore is controlled by a studio master who presided over Ed Wolf Associates and directed by Chas. Lincoln.

The title, "Imperial Time," is a modest-but useful with only a 17-station spread and hardly to establish itself over the summer months. It has no potent name hype and is obviously not an ambitious production. Yet it is good as the whole. It has a skilful and appealing script apparently able to gather and please an unaccustomed audience. The program has improved considerably since her former spot on the Ben Berni program and has ingratiating ease and warmth, nice rhythmic sense and a carefully clear pronunciation. She sang three numbers on the debut, a heartily and well-backstopped impressively and offered one number on their own, the "The Government of Old MacDonald Had a Farm." Phil Wall's orchestra supplies acceptable accompaniment.

Format of the program makes a gesture toward a rilly, step-by-step, and a cigarette-spill. Dan Seymour gives the dynamic style of burlesque pushing and the copy stresses the extra length of Spud's legs, her bare ankles and the claim that, although menialized, they really taste like a cigarette.

FUN FOR ALL
 With Jack Gregson, Joe Walters
 Helen Krieb, Dick Aurand etc.
10:30 P. M.
Sustaining
 Tuesday, 8:15 P. M.
KFSO, San Francisco

Local live talent shows, save for some entertainers, have been rare on the KFSO kilocytes, but producer Ed Howell is trying to remedy that with an experimental Fun For All and a live talent show. Time (8:15 P. M.) is bad for filling studio, most folks being en route home from work, but station has been getting a fair turnout.

With Dick Aurand's band to back-up the musicality, Paul West continually introduced various comic bits, bits and characters. Most successful effort was a burlesque on the wagger dance by Joe Walters. Latter took some standard nursery rhyme, such as " Hickory, Dickory, Dock," and nuked them at hot news flashes. Was shaded, not for rilly laughs, but for a string of chuckles. Delivery okay and something might be of it.

Attempt to materialize a successful program goot wasn't so successful. The show's "Aunt Fester" became a mild carbon-copy both in style and content of "Vergil's Vogue."

Best of the material—dip gags, gags (such as why people get married in June plus a couple's interrupted attempt to get married)—was spotty. On show caught humor in the patter with a reference to a web of show to other stuff which was almost incomprehensible.

'CALLING PAN-AMERICA'
 Tuesday, 8:15 P. M.
30 Mins.
Sustaining
 Tuesday, 8:15 P. M.
WABC-CBS, New York

What was regarded as a dubious gesture of friendliness to call upon public appearance. On the basis of this 30-minute stagewalk from Havana, the international CBS had a program calculated to glamorize Cuba. If the CBS series under the above title, it was a good one. It encouraged each country to praise the Yankees, the net contribution to save as a lamentable foppery.

It has no potent name hype and is obviously not an ambitious production. Yet it is good as the whole. It has a skilful and appealing script apparently able to gather and please an unaccustomed audience.

SERVICES VARIETY
 With Barry K. Barnes, Diana Churchill, Richard Murdoch, Elissa Wood, John J. Lockwood, Debbey Rogers Orchestra, Bryan
10:30 Mins.
 Sunday, 12:30 P. M.

Laugh-session which turns in to a good one. The program is looking for as background for the service, it is a good one. The period maintains pretty consistently a very high rating both in production and in content. The program travels along with showmanly skill. Someone uncredited turned a work for giving it that nice shape. It airs their current road tour with a play drawn from defense workers who get the entertainment all on the radio.

Somers, Michie and Lockwood are performing with the show. The former does a class job with the music, tops arrangements like "The Girl on the m.c.ing end; he's been out on the road with Jack Hyman and is building up nice following over the air for similar work with musical comedy. Conroy Johnny Lockwood is a definite find for the show; for he has a rock patter that has the groove for this type of audience and travels with a surety. C. Howell is trying to remedy its smarty Cokesy stuff, but he doesn't do it well. The musical comedy on the ball.

Filmlets Barry Barnes and Diana Churchill are the stars of the first part with a sketch that served them nicely. They are both good, capable performers who aired here as if the program had been their own and not just one more p. Sketch had to do with a know-all lawyer who takes his client, chief laugh of the breakfast table. Tag-line to the show was good. The musical comedy. Pair have benefited a deal from their current road tour with a play drawn as handling a script is conferred and making dialog.

They are the stars of the session on a free assignment was Richard Somers. He has a long line of patter that shows all the better when whet on the air. The experience of Arthur Astor, also a comic and a writer of new material, is straight; patter is breezy and he's on top all the time. There seems plenty of room for him on the air. Half-hour variety session has been a success. It has a long line of patter that shows all the better when whet on the air. The experience of Arthur Astor, also a comic and a writer of new material, is straight; patter is breezy and he's on top all the time. There seems plenty of room for him on the air.

'FOR HOUSEWIVES ONLY'
 15 Mins.—9:30 A. M.
 M-W-F 9:30 A. M.
KDYL, Salt Lake City.

Show opens with Emerson Smith inviting all home listeners to scrub, as show is "for housewives only." In nice way, of course. Actually, any man happening on the program would probably dial it out quickly enough since it has strictly feminine householder appeal.

Listeners can join the club by getting applications from their grocers and Emcee Emerson Smith. The girls' whose cards are picked at random from a membership of more than 4,000 names. They get a chance at a true or false question which correctly answered nets them a \$2 purchase order at their grocers. Purchase order must include a box of Par Soap with prize of Parma soap. Questions aren't the type to jeopardize their chance for the purchase order, being on the order of "Does Santa Claus wear a green suit" or "Is Josephine the name of the first lady of the land."

Smith's dialing and his side of the conversation are heard on the broadcast. It's plenty good too, his voice capably registering friendly interest in their success with just the right amount of coyness to keep the ladies listening. Background of patter music is well chosen, if a trifle on the loud side, but its running content and criticisms during intervals of waiting for answers is well worth listening to.

This series was planned as a test by sponsor Par Soap, who have been so pleased, it is said, with results that they now plan a similar campaign throughout the western states.

June.

JOHN MOREL
 Song
 M-F 10:15 P. M.
RBC, London

In the quiet of what might be termed a "peacetime" night and thus an unusual one, he served this classy vocal session to support even more the impression of an lapper etc. In recollection, his first time Morel has been carried by the ether, although he has a jaunty mood and at the mike which presupposes showmanship came as a result of considerable "off-micro work."

Here he was handling his own announcements around a recital of Negro spirituals, and investing what is ordinarily drab phrasing with a warmth and personality to round out his vocal statements.

Six spirituals were aired, cannily chosen in an effort to get away from the Robeson complex which in the main afflicts the baritone. But the Negro singer's corner on the Southland anthology necessarily meant some duplication of numbers from a long list of "An Old Spibum peddler, for it meant immediate comparison which could not but reflect to Morel's disadvantage. Water Boy, for example revealed an absence of nuance and rounding of tone; Deep River pointed up the lightness of his voice in sounding of a robust vocal. With "Steamboat Song" and what a "Tryin' Time" came an opportunity to establish himself as possessed of a voice of international flavor; however, and worthy of wide attention in far fields.

He has considerable range, particularly in the upper register, and aired here as a master of control.

'LUM AND ABNER'
 Comedy Serial
 15 Mins.—Regional
MILES LABORATORIES
 M-W-F, 7:15 A. M.
KFI, Los Angeles

Pine Ridge (Wep) 'em Down store reopened last week after being shuttered for a year. Reason: last buyers. Customer came along last week and put in an order that will keep the cracker barrel lively for at least 13 weeks. Proprietors Chet Lauck and Norris Gott have put in a whooping supply of Alka Seltzer.

Not exactly in those words, but that's about how Low Crosby's intro of the buccic characters shaped up on the start of a new series for a new sponsor. After an off-year and making a picture and running their pines around the Coast ovals, the boys are back in control. It's the same folksy routine with the same personnel that built up a following along these shores second only to those of "An Old Spibum peddler, the organ and Al Crosby softly intones the commercials.

Material self-written, it down the R.F.D. groove and listenable. No attempt at cracks but just plain talk, topped with his trilly chuckle. Kicks up into the air with Lauck playing more-or-less straight and cueing up the situation with Lauck playing a running a ruckus gap of a misinterpreted aphorism, i.e. "Pob Teter to the top of the mountain" with idiomatic phrasings humorously reminiscent of the small town.

Heim.

TWO MORE BRASS RINGS

FOR AMERICA'S LEADING INDEPENDENT STATION

LABOR ARBITRATION

A unique 45 or 46-minute program that actually arbitrates labor disputes. Permanent chairman is Samuel R. Zack, veteran labor arbitrator who is assisted by a revolving panel of guest arbitrators. Among its accomplishments LABOR ARBITRATION prevented a strike of 11,000 drug stores, stopped a strike of 11,000 truck drivers, and called a peeing military strike which would have tied up the industry.

WITHIN the short span of ten days Ohio State University* and the Women's National Radio Committee awarded honors to two programs created, produced and heard exclusively over WMCA.

In honoring AMERICANA QUIZ as an educational program which served the interests of democracy, the Women's National Radio Committee stated, "Your program was highly commended by our New York City listening groups." The WNRC consists of 23 national organizations with a metropolitan membership of several hundred thousand women.

LABOR ARBITRATION was chosen by Ohio State University as one of the two programs worthy of award in Class 1B against network and clear channel station competition.

These programs are available for sponsorship by two clear-thinking, fair-minded advertisers. We think they are two of the best good will programs on the air today.

WMCA

FIRST ON NEW YORK'S DIAL... 570
 NEW YORK, WJMA Building, 1427 BROADWAY
 Chicago: Virgil Rejcek & Co., 340 North Michigan Avenue

Follow-Up Comment

Douglas Fairbanks, Jr., spoke Saturday (31) on Columbia from Buenos Aires, one of his stops on the swing around South America he is undertaking as President Roosevelt's goodwill ambassador. After the matter is considered, this Fairbanks tour is rather remarkable. It is a long haul from the days when actors could get themselves decently married or buried at a respectable distance from the present. It has a long line of the head of the world's greatest democracy delegates a thespian to turn on the personality for the edification of statement and in terms of content. Fairbanks was interviewed in E. A. by Zerkow. The questions proved intelligent and the answers forthright without being actively disclosing much information. It did make the actor-ambassador aware he knew how to deal in pleasantness and parry possible delinquency in short, that possesses tact. Buenos Aires, he found, had Paris and Rome, the two great clubs of London, the vivacity of New York. The American Express folder naturally couldn't improve on that. Fairbanks did admit he found "some New York" but that democracy would come out top dog in the end because of its Latin sympathy with liberty and against dictatorship.

Next week: Chile.

Bismarck-spotting British airman was heard over the NBC transect last Wednesday night in description of his role that was time is so punchy. The man, who has rules, army men heard on the radio may not be identified by name, so this club is simply Captain X. His workmanlike attitude and vivid, un-

Official American Education Bureau of Educational Radio Programs

Fly a Formidable Fighter

(Continued from page 25)

would put networks out of business or possibly hamper their relations. It was instead, he said, a question of keeping the local station free to take service from a single network when, for any reason, public interest programs are not available to it from its customary affiliation.

The spectre of partisan politics was raised early with questions about alleged in-truck facilities enjoyed by James M. Cox and Jesse Jones. Fly denied the charges but said that suspiciously large grants went to administration incoherently.

Fly, the sole witness on Monday said he was glad to cooperate with the senate committee investigation but criticized those who would paralyze the regulatory body and its decisions for an indefinite time while they went on.

Stress was placed by the chairman upon the fact that NBC had 24 days on the stand and CBS and that it was unfair to claim that broadcasters were being denied due process of law. He suggested that after

the fight against President Roosevelt's war policy, three some rocks at individual stations but not at the chains.

The chief points made by Fly under rigid questioning were the nation ought to have six national networks plus more regionals. In the case of free speech radio facilities ought not to be under "narrow control."

Talk of a "general shakeup" by the FCC is just "too much moonshine," Fly said. Fly asserted, belittling the view of the industry, that the communications act stipulating there shall be no monopoly. On this point Fly actually rebuked his predecessors, commenting that he did not want people to think he was implying he could have done a better job but there is no question that radio facilities are not distributed as fairly and well (from the listener angle) as might have been done.

Wheeler's fears.

Danger of block booking in radio was seen by chairman Burton K. Wheeler. If webs can't have options time brokers and advertising agencies might move in and snatch large chunks of time, he thought. Fly's comeback was that such a technique isn't feasible for live talent shows but might be done with waxed records. Fly, on this point, saw much wider use of transcriptions. In slamming the "big New York corporation" he said he felt Columbia and National are "pretty footy-footy."

Golf as Usual

While some of their associates were watching with furrowed brows the proceedings on White House grounds, Senator Wheeler fought right through with their scheduled annual golf tournament yesterday (Times) at the Baltusrol club in Short Hills, N. J.

Fly's golf meet has become an NBC tradition.

three years the facts pointed to an increasing pace by FCC rather than arbitrary haste.

In reply to Fly's comment to Senator White that he had merely interpreted into rules his previous recommendations the Maine republican broke in to say "I do not follow that every regulation you might make is in your authority, or in my view, in the public interest."

Fly on Tuesday acknowledged that the 90-day clause is too tight, thereby inviting licenses to request postponement. He also virtually promised NBC it can take all the time it wants to peddle for questions. Fly with Senator Wallace H. White that the order was poorly written.

Several senators broke on Fly but in almost every instance he adeptly got out of any tight corners. At one point he was so quick in his comeback that Senator White publicly confessed he had forgotten the point he was trying to make. Frequently Fly talked down the "sions, forgetting senatorial courtesy about yielding for questions. Fly tried to lecture to the committee but was denied the privilege by a half dozen senators who took their prerogative of cross-examination. But on the whole Fly proved a formidable, fighting chairman. Bringing in the anti-trust act and protesting the commish was safeguarding the public welfare in response to indicated demands from congress. Fly smartly turned aside many points.

Senate committee members were not considered particularly anti-NBC. Senator Wheeler was most critical. Senators Worth Clark, Idaho, Homer Bone of Washington, Ohio, Shinnick of Minnesota, Charles W. Tobey of New Hampshire, C. Wayland Bonds of Illinois, and W. McFarland of Connecticut. Burton K. Wheeler of Montana was in attendance.

"Wheeler and Tobey, as leaders of

The Better Show

Talent agent who last week had just come through a session with an agency planning board on the matter of a summer replacement program whose budget was limited to \$800 described his experience as follows:

"There's one outfit that makes a production out of picking even a small-priced summer show. We've known this outfit for years in that agency go through gets more complicated and bewildering each year. They put on a better act in going through the process of picking a show than the major itself ever gets on the air."

FLAWED RADIO CAUSES TIME CRACKS

Cleveland, June 3.

Defective transcription of Congressman Martin L. Sweeney's speech on Tuesday night (Times) was an ambiguous explanation made by a WGAR announcer when he yanked the badly scratched platter off a minute after it went on the air last Saturday night (Times). As well as a telephone switchboard clogged with squealproos who misinterpreted the out-of-majority status of the congressman was talking from WGAR and was switched off because of censor trouble because Charles Switzer, a spokesman, announced the transcription was unfit for broadcast. "Swink got away with a second reading of the program from the front office, for using an inaccurate professional phrase that could be easily misinterpreted by listeners."

Sweeney's transcription, the last of five recorded addresses by prominent Ohioans on weekly "Views From the Capitol" program, was cut off by station's control operator as soon as he caught the break. Switzer also covered his bull nicely. Grabbing the written copy of speech forwarded by the speaker or later in some emergency, announcer read it over the air, explaining before and after the reading that the record could not be played because it was defective.

Revise 'Johnson' Serial Meantime Colgate Using Only NBC Red Loop

"Story of Best Johnson," Colgate-Palmolive-Peet serial now heard on NBC (WEAF) at 10 a.m. (repeat at 1:15 p.m.) and on CBS at 4:30 p.m. will drop the latter network spot after the June 27 broadcast, there being done only the two shows on NBC. At the same time the program switches to Palmolive's loop to Kiek Ward shop and goes through the Washington agency to Ted Bates.

Expected that the writer-director serial will also be revised, but Best Johnson will naturally remain on the show.

Longview, Texas—Bruce Dennis, engineering of WMCI, Columbus, Miss., to formerly chief of KFRO, Republics Johnnie Dunn, who has resigned to take a position with the Government at Socorro, New Mexico.

'Lets Drag This Into the Spotlight'

Russell Place at Advertising Federation Convention Says FCC Over-Steps Law

Boston, June 3. The present regulations of radio have far exceeded the powers which Congress vested in them," Russell Place, counsel for the National Association of Broadcasters, stated at an N.A.B. meeting held here in connection with the Advertising Federation of America annual convention.

"The broadcasters' association is not opposed to regulation," he continued,

but believes that as a protection to the public, Congress should make sure that the regulator does not overstep its bounds before legislation is passed to prevent collapses, and with it the radio.

He suggested an investigation of the conduct of the Federal Communications Commission.

"For years there has been talk of such an investigation. One got the impression a year ago that the commission rescinded its authorization for limited commercial operation on television. The act set up the Senate to review the communications act, and these rules which the commission promulgated under and make sure that the commission majority has not retro into the law what Congress did not intend them to have.

"Let us make sure that the commission act itself means something more than May flowers. That is the radio asks us to do this is to make sure right out into the spotlight of open public discussion the halls of Congress. Radio sees this investigation. The public welcomes it."

He pointed out that President Roosevelt now has the power under the anti-trust act to force emergency proclamation to take over and operate all radio stations in the country. This, Russell, drafted the bill in methods of radio operation may take place, he indicated.

Senate Buzz Not Bronx Cheer

After One Puzzled Moment Fly Quips 'Guess, That's New Network Coming In—Impressions of First Senate Committee Session.'

(An American Citizen, not in the broadcasting business, but a regular reader of VARIETY offers the following observations on the Senate Interstate Commerce Committee hearings on the White House Building and radio. Senator Jones is attending for his own private amusement.—Ed.)

Monday, June 2: By 10:45 a.m. the room (412 in the Senate Office Building) was crowded. Senator White, smiling and looking less resolute than resolution appeared on the scene quite early. Senator Tobey followed him, and not-unlike Tobey, doated in like a tuitive "mine" ready to explode when the first testimony Senator Wheeler, wearing his best "America first" smile walked over to a starboard table and said, "Let me have one of those CBS pamphlets. I don't seem to be on their mailing list." Then, after a beseeching glance at the head of the table and was soon engrossed in the pamphlet's contents.

Meanwhile the crowd thickened. Paley breezed in, poker-faced. Miles Frammel entered solo and found himself a seat opposite the west wall. The Mutual corner, including Fred White and a barrister Caldwell took second row rindside.

One by one the solons began draping themselves around the long table headed by Wheeler. At least 20 of them including LaFollette and Cotton Ed Smith of South Carolina. Then came Chairman Fly, preceded by a large brief case, and followed by several assistants with armfuls of papers, some of which the chief prosecutor uses as his arsenal. At the instant of his appearance everybody on the stand seemed to have pressed feelings have a way of registering louder at a dignified and fervent scene hearing than they do at trade conventions, even though nobody speaks.

Wheeler forthwith opened the meeting by a carefully worded statement of the case of what seemed Everybody else. Senator White delivered himself of a brief prologue about the "why" of a resolution by White. The rest of the Senators looked askance or as if they had been invited to a turkey dinner with a choice of only "what me meat. Leave it to Tobey to ask for dark meat. He did! Got it and came back for a second, third and fourth helping.

Senators' Crossley

On the whole, our distinguished Senators asserted nobly, that if the questions are those we might expect from an average listener rather than a better-than-average legislator. Their questions were simple, layman-like but nevertheless insightful. What about this clear channel business, said Wheeler asking if their necessity was never clearer to him.

Eventually Fly got the floor, and practically everybody on the Hill, blue, punctured here and there with a dash of crimson. There was no heckling this time, but there was an unexpected interruption. Something that sounded like a Western Union "Call" came from a box that is standard equipment in every office registered office, sounded off three times. The commission was identified corner and for a moment the assemblage thought that something was wrong. It was a false alarm, a cross-brocher. There was a tense moment and Fly looked plainly displeased. He said "I am feeling fresh in his mind no doubt. Then the

crowd broke out in a loud guffaw and Fly with a spontaneous dash of humor said, "Guess that's a new network coming in."

"Tobey put Fly on the spot and billeted him with certain alleged "C" eliminations in favor of certain political "C" numbers. One thing about being caught off-guard, it does not answer quickly as a professional was and uncertain whether, at the time, he was dealing with an issue of content or of the put it a

Wheeler kept everyone calm and maintained an attitude of "let's have more light and less heat" during the proceedings. While periodically interrupted by a question in one instance asking Fly a question which apparently delighted the net, he was interrupted by a question from one of White's own white-hot speeches, thus answering as effectively as if he had struck an old was-platner of the Senator's.

There was a suggestion of an adjournment at the meeting and was propped the lunch hour, which was temporarily shifted when Wheeler himself interrupted the meeting in one instance asking Fly a question which apparently delighted the net, he was interrupted by a question from one of White's own white-hot speeches, thus answering as effectively as if he had struck an old was-platner of the Senator's.

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Tuesday the meeting resumes at 10 a.m. . . . and in a larger hall.

BIG CANADA SERIES

Churchill Leads Off—Many Names Set to Appear

Toronto, June 3. Getting underway at the meeting on June 1, with a joint broadcast by Winston Churchill, of Britain, and Mackenzie King, of Canada, series of names programs will be carried over the national network of the Canadian Broadcasting Corp. to promote the Dominion's "Victory Loan" campaign. Sited for appearances are

Orde Phillips, Alec Cumpston, other British-born personalities of the entertainment field with whom negotiations are now being carried on. June 8 will have Percy Faith, Toronto-born conductor of the "Continental Four" series up from Chicago to direct a 65-piece symphonic orchestra in Massey Hall, with Singing Sam Brown on the bill. Colonel William (Wild Bill) Donovan was on Sunday, June 1. Dorothy Thompson appears today (3). All are doing it gratis.

Abram—Bill Jones has resigned from sales staff of WAKB here.

Denver's First All-Night Station Represented by BLAIR

THE TEN TENS

THE NEW RADIO'S MOST POPULAR FAMILY DRINGS YOU MORE LAUGHTER, HEARS AND HEARTY BARBS

LISTEN TWICE DAILY
NBC Red Network, 12:10 to 12:30 P.M. EDT
WABC-12:45 EDT-CBS
COAST TO COAST
DR. COMPTON ADVERTISING AGENCY
MGT. ED WOLF—RKO BLDG., NEW YORK CITY

Civil Liberties Union Deplores Lack of Public Discussion On FCC Changes But Favors Them

The American Civil Liberties Union has filed with the senate interstate commerce committee tentative impressions of the Federal Communications Commission's anti-monopoly proposals.

Most of all the Civil Liberties group deplores the fact that the FCC orders with their implications of a drastic revolution in a vital public utility have never so little discussed either on the air or in the newspapers.

Unbiased newspaper accounts of the Report have been scarce so far. We have made no complete check of the press comment of what we have seen, the greater part is frankly hostile without even a pretense of objectivity.

In view of this blackout of unbiased discussion of the Report, the Report itself takes on added significance. The Senate Committee, while it should not become a board of review of the proposed regulations, can be of inestimable value in offering a forum for the discussion of issues which all sides agree are of great importance to the millions of Americans who constitute the listening audience and who are after all the ultimate bosses of the Commission, the stations and the networks alike.

Declaring "we would oppose Government domination of broadcasting at least as strongly as any other concentration of control over the airwaves the Union is anxious to say 'In our opinion the Report is the first heartening sign that the Federal Communications Commission has at least become aware of the various devices which have been used by broadcasting to concentrate the control of what goes over the air in few minds this throttling of diversity has been accomplished primarily by contractual arrangements between networks and individual radio stations.

The Union's point-by-point comment on the FCC orders amounts, in substance, to a sympathetic position of the advocates of its en-

dorsement. Says the report on these matters:

(1) Networks require their affiliates to contract not to carry the programs of any other network. This means, for example, that if they have two radio stations, one of which was affiliated with NBC and the other with CBS, it would be impossible under the usual contract for the listeners in that area to hear Raymond Gram Scieszka who is carried by the Mutual network.

(2) Conversely, networks specify in their contracts with their affiliates that no programs of the network will be given to any other radio station in the area of the affiliate, even if the affiliate does not choose to carry the network's own affiliate. Thus, if the local CBS affiliate in an area did not choose to carry a Philharmonic broadcast, the network would not be free to supply the broadcast to another station in that area and in that way the local listeners would be automatically barred from hearing a program which many of them might select.

(3) Under the typical network contract, the network is bound to its affiliates for only one year. The affiliates, on the other hand, are at the option of the network bound for five years. This would appear particularly anomalous in view of the fact that the station licenses themselves are only granted for a maximum of one year.

(4) Under the typical network contract the network has an option to utilize the maximum number of its affiliates merely by giving its affiliates a certain number of days' notice. This means that stations cannot make local program commitments for more than the specified number of days without making the local program contingent on the network not taking over the time.

(5) Under the typical network contract, the right of local stations to reject commercial programs which they are requested by the network to carry is rightly restricted. By entering into such commitments the local stations have, as a large number of their time, virtually relinquished control over their own programs and delegated it to the network.

(6) In some instances one network may control two of the best stations while other networks have local interest and that no outlets are available to them.

(7) One company, namely the National Broadcasting Company, has two national networks out of the four which exist today. Needless to say, there is, realistically speaking, little competition between these two networks. In fact, between these two networks they are inter-

changeable and often a local station does not know in which network it is included. Thus, not only does each network determine to a great extent what programs shall be carried by its own affiliates, but the same persons tend to control both networks.

Under the typical network contract the network retains a large measure of control over network program rates.

And, further, says the Union: "We welcome the regulations of the Commission which are being proposed specifically against these abuses because in our opinion their elimination is essential to encourage free competition in the spread of ideas over the air."

IRNA MEMBERS' FCC OPINIONS ASKED

Philadelphia, June 3. Independent Radio Network Affiliates last week took its first step toward its membership to determine public opinion concerning FCC regulations on network broadcasting. It was in the form of a questionnaire from Samuel Rosenbaum, IRNA executive committee chairman, who stated their opinions on the various questions associated with the FCC's move to regulate network broadcasting. Rosenbaum's circular explained that the tabulation would be done by IRNA officials in their testimony on the White resolution before the Senate Interstate Commerce Committee.

Affiliates were asked to answer 'Yes' or 'No' to the following questions: Do you approve or disapprove the resolution passed at St. Louis concerning the proposed FCC regulations on network broadcasting?

2. Do you approve or disapprove the resolution passed in St. Louis ordering IRNA officers to support the White Senate bill?

3. Do you believe it is in the best interests of the radio industry and the public to have a "radio industry-affiliates and networks" to be settled by negotiations between representatives or by Government regulation?

4. Do you approve with standstill changes by a number of affiliates that although they do not agree with Government regulation in its present form, they are willing to accept it to accomplish needed changes by Government regulation?

5. Do you inform us where are some affiliates who believe the changes they want can only be accomplished by Government regulation but they think the new network regulations go entirely too far in their present form? If so, what should be found by negotiation. Do you approve or disapprove this view?

ASK HOUSTON LICENSE

H. R. Safford Group Files with FCC for 1230 K.C.

Austin, June 3. A charter has been granted here to the Greater Houston Broadcasting Station by the Secretary of State, to construct and operate a new broadcast station at Houston. Incorporators are H. R. Safford, J. H. Atchison and Thomas D. Anderson with a capital stock of \$30,000. An application has been filed with the Federal Communications Commission for a construction and operation permit. Group is seeking for 1230 kilocycles with operation wholly on a local service basis to the City of Houston and its trade area. It will be non-network.

Active management of the new station will be in charge of H. R. Safford, Jr., of the advertising firm of Ritchie-Safford of Houston. Officers of the new corporation include: W. H. Atchison, first vice-president; J. H. Chew, second vice-president; Thomas D. Anderson, treasurer; and Lee Andrew, secretary, and Mrs. H. R. Safford and J. E. McAdhan, stockholders.

Minneapolis — KSTP is adding advertising news and a radio department with Val Bjornson resigning his position as St. Paul Post-Tribune editorial writer in order to devote full time to this and other KSTP duties. Val Bjornson's duties will be to handle "The Farm Forum," at 6 a.m., daily, Mondays through Saturdays.

Favorable Reaction at AFRA To CBS Artists Dept. Sale; Hope NBC Transfer Follows

Premieres

June 6. 'Claudia,' radio version of Rose Franken's stories and stage play, starts as 15-minute dramatic series on CBS at 8:30 p.m. Fridays on CBS. After four weeks it will go as a 30-minute series at 8 o'clock the same night on the same network, for the same sponsor. Young & Rubicam is the agency. Patricia Ryan will play the title part. 'Furber's Party' sponsored by R. J. Reynolds tobacco (Camel cigarette), moves to 10:30-11 p.m. Fridays on CBS. Change of time, and from its former title of 'Luncheon at the Waldorf'. Easy is the agency, and the cast includes Ika Chase, Yvette and Paul Baron's orchestra.

June 8. 'Reg'lar Fellers,' sponsored by General Foods (Gello), replacing Jack Benny for the summer, takes over the 7-7:30 p.m. spot. Young & Rubicam is the agency. Comedy-drama is adapted from the comic-strip of the same name. Cast includes Van Pappin, Dickie Monahan, O. Phillips and Ray Ives, Jr.

PHILADELPHIA FORUM GIVES RADIO A NOD

Philadelphia, June 3. For the first time in its long and august history the staid Philadelphia Forum will recognize radio as an "educational medium." The 'Aldrich Family' program will hold its only out-of-the-studio broadcast before the forum at the Academy of Music next season. Clifford Goldsmith, scripter of the program, and Ezra Stone are scheduled to talk. Also appearing here for the first time will be Elza Maxwell who will lecture on 'Where's Your Sense of Humor?' Illustrating her spiel with a film. Another newcomer to the Forum series is Arthur Turt, author of the famous Mr. Tuttle stories.

Charlottesville, Va.—Willena Huddeston, formerly with WHUD, Cookeville, Tenn., has joined the staff of WCHV, Charlottesville, as head of the copy writing department. She is also a pianist and organist.

George Boone has joined the announcing staff of WCHV, bringing the number of announcers to five.

American Federation of Radio Artists will probably make no effort to hold up the sale of Columbia Artists Bureau to Music Corp. of America, but will likely require that all artists involved be satisfied as to persons' contracts. As an initial step in that direction, the union has notified all its members concerned in the sale to the radio to be communicated by June 12 with AFRA regarding their attitude toward the proposed transaction.

Feeling of the union's leaders is that it might be difficult to stall the deal—and certainly unwise to do so. It is that AFRA has never approved of the existing setup of the networks being in the dual capacities of employer and agent. It is figured that with MCA taking over the latter function, AFRA will be better able to deal with the networks and the agents. For that reason, the union's execs would like to see the double deal for William Morris to purchase NBC artists bureau go through, although that is merely a possibility at the moment.

'Lone Journey' in Chicago; Gruenberg Staying East, Soubier West With Show

'Lone Journey' Procter & Gamble serial now originating in New York, moves to Chicago after the June 10 program. It will no longer be heard in the east.

Show currently plays Dux, for the Compton agency in the east, and Drexel for Blackett-Sampson-Hummert, in the midwest and west. Henceforth it will push only Drexel and be handled exclusively by B-S-H in Chicago. Sandra Michael will continue as sponsor and John Gibbs will still produce. Axel Gruenberg, now directing it and the other Sandra Michael-P. G. serial, 'Against the Storm,' will drop 'Journey' to remain in New York with 'Storm.' Of the east, Cliff Soubier will move to Chicago with the show, but Lester Damon and Claudia Morgan will stay in New York.

While 'Journey' stays on NBC red, it will be heard at 10:30 a.m. in Chicago, but the same spot in New York will be occupied beginning June 18 by a repeat broadcast of 'The Goldstar' 'Goldberg' broadcast is at 5:15 p.m. on CBS. New setup for Dux will be only temporary, however, as P. & G. is already looking for another show which will also play the product on a national coverage.

U. S. Spends

10,500,000 on three new dams along (Watts Bar, Cherokee and Fort Loudoun dams), increasing buying power tremendously in the area served by Tennessee's oldest radio station . . .



SCRIPPS-HOWARD RADIO, INC. KNOXVILLE, TENNESSEE CBS - 990 Kc. 5000 Watts Day 800 Watts Night The Branshan Co.

Advertisement for WCHV radio station. Includes text: 'VOCALIST NOW WITH LUCKY STAKE', 'SATURDAYS 9 to 9:45 P.M., E.D.S.T.', 'COLUMBIA BROADCASTING SYSTEM COAST TO COAST', and 'Exclusive Management—COLUMBIA ARTISTS, INC.'

Femmes Go for Monroe, \$50,000
In 2d N.Y. WK.; Ted Lewis, 10G,
K.C. Biggie, Arnheim, N.Y. OK 20G

(Estimates for This Week)
Gus Arnheim, New York—(State):
\$4,000; 28-44-70-30-41.10. With
'The Hamilton Wagon' (H.M.).

Wayne King, New York—(Strand):
\$2,757; 35-55-75-45-69. Held for
second week, with 'Shining Victory'
(WB), new picture, supplementing 'Af-
fectively Yours' (WB), which was
only one week. Only so-so
\$3,000. In prospect.

Ted Lewis, Kansas City—(Tower):
\$1,100; 10-30-40-50. With 'Rookies on
Parade' (Rup) on screen. Prices
\$100. From the usual fee, plus \$50.00
tariff. Current bill is earning \$10,
000, very big here.

SOUTH SHORE CLUB
OPENS WITH MUNRO

Chicago, June 3.
South Shore Country Club shows
business regular spot for about two
weeks in second week, through top
opening week's figure of \$40,000.

Lyman One-Nighting
West to Paladium, L.A.

Pittsburgh, June 3.
Abe Lyman wound up five-week
stand here at the Paladium last
Thursday (28) and following day in
 Erie, Pa., began one-night tour which
will carry him across continent and
land outfit in Hollywood June 14.

AUTOGRAPHS RECORDS

Dick Jurgens' Glimble Verse-172M
Glimble Tie-Up

Milwaukee, June 3.
A three-week tie-up between Dick
Jurgens and the Riverside theatre,
WTMJ and Glimble Bros. brought the
husband and the band to the fore in
publicity last week in the department
store's liberal newspaper space.
Next show will be at Riverside, with
singer, Harry Cool, crossed the street
to Gimbels where they were interest-
ing on an on-again-off-again project.
Don Stanley, of the WTMJ announc-
ing staff, who acted as master of
ceremonies, was on hand.

Met, Providence, Lays Off
But Resumes in Autumn

Metropolitan theatre, Providence,
which closed for the summer Sun-
day night (1), is already lining up
bands for the fall. Theatre oper-
ates at 101-5at-100. With 'Flame of
New Orleans' (U) on screen.

Over-Border Spot Resumes
Night Life as Mexican
Tooters Get 20c Boost

Mexico City, June 3.
After a musicians' union strike that
ruled up virtually all entertainment at
the spot, night life is again in full
blast. The big Juke Joint is again the
center of the action.

Coin-Catching Record Possibilities

Eddy Duchin 'Goodbye of Jeanie—'Nite Dreamer' Baby' (Col. 36154)
Duchin had a double idea on the first, which springs from the overlaid
'Jeanie, Light Brown Hair' but he nullified it. Even as a novelty side the
strongly dramatic instrumentally and as vocally by Lew Sherwin. Reverse is
also light.

Joey Belthman 'Hut-Sat Song—'You'll Never Know' (Victor 27423)
Reichman's cutting of the novelty has been touted widely as the top
version. It not. Both Horace Heidt and King Sisters' sides pack more
punch. Belthman's arrangement is dull, and its play much more to
Janette's voice is vari-tempoed. Coupling is good, side, vocalled by same
singer.

Benny Goodman 'Million Dolls' Baby—'Good Evenin'' (Col. 35135)
Miss Forrest takes vocal, and Goodman's arrangement of the revived tune
sounds over kiddie. It's slow and sentimental all through. However,
Miss Forrest takes liberties in phrasing which may not sit well with those
who prefer standards delivered straight. Reverse takes outlet into solid
arrangement, though. Miss Forrest again is strong on the lyric. Jack Len-
non's 'Good Evening' is a slight vocal (only 15¢) which is equally good.
It's cut. It's bit weak in intro, but it's very playable. Reverse is
okay cutting of 'When Your Lover Has Gone'.

Summy Kaye 'I Understand—'For Want of a Star' (Victor 27422)
There are many records of the first already released, but tune hasn't
been started yet. Kaye's record should fit easily into its class. Almost
all played by Tommy Ray, the side earns good reaction. Coupling is well
voiced, but after repeat spins of several different versions the tune still
doesn't 'frack'.

Frankie Masters 'Aroura—'Until Tomorrow' (Okeh 5341)
Though it's not, 'Masters' arrangement is a very good one. Aroura, a
click tune, draws no end. Masters and Swingmeters combine on vocal
netting. Reverse is equally good try at Summy Kaye's ballad, done at
one note.

Tommy Dorsey 'Yes, Indeed—'Will You Still Be Mine' (Victor 27454)
By Oliver, arranger-writer of 'Indeed,' and Jo Stafford, from the Pied-
Pipers, combine in nice work on the spiritual vocal, backed by paired
band. Reverse chorus. It's sung by Dorsey exclusively. It modern in
arrangement, though. Miss Forrest again is strong on the lyric. Jack Len-
non's 'Good Evening' is a slight vocal (only 15¢) which is equally good.
It's cut. It's bit weak in intro, but it's very playable. Reverse is
okay cutting of 'When Your Lover Has Gone'.

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non's 'Good Evening' is a slight vocal (only 15¢) which is equally good.
It's cut. It's bit weak in intro, but it's very playable. Reverse is
okay cutting of 'When Your Lover Has Gone'.

Will Bradley 'Swingin' Down Lane—'Fleming' (Columbia 36147)
An instrumental at its best, the first side, it's the best of its kind. It's
that Bradley has made in weeks. It shows band in strong role, with
leader's trombone taking breaks, on a neat tune. Reverse is average, due
to the tune, a so-so melody vocalized by Terry Allen.

Tommy Tricker 'Dog House Polka—'Ain't No Use to Worry' (Okeh 5283)
First item acceptable in all and Tricker and crew handle it nicely. It's
a lulling piece that can fit easily into machines that go for such stuff. Voices
three vocal. Backing brings up Amy Arnel on an able novelty, played at
good tempo with occasional band chorus accompaniment.

Henry Long 'Home in Indiana—'That's What I Like' (Decca 3786)
Long's vocal is a very good one, and the instrumental is very good. It's
ard, done in moderate cup style. Bob Houston's vocal is reminiscent of
Vaughn Monroe. Reverse, bit faster, is okay instrumentally/and as voca-
lized by Fats Domino.

Horace Heidt 'Goodbye Dear—'Walkin' Round in Circles' (Col. 36148)
Heidt's vocal is a very good one, and the instrumental is very good. It's
a good piece of material full
titled 'Goodbye Dear, I'll Be Back in a Year.' It's melodic enough to
fit in with the music. Backing is a run-of-mill
tune vocalled by Donna and Doc Junica.

In the Wax Works

Sammy Kaye (Victor) 'Sand in My
Shoes,' 'Don't Cry Cheryl,' 'Reluctant
Dreamer,' 'Sleepy Serenade.'
Vaughn Monroe (Columbia) 'Cherry
Blossoms on Capitol Hill,' 'Daddy,
Love Me As I Am,' 'Tattle Tale,'
'Don't Be Blue Little Pal,' 'Don't Be
Blue.'
Count Basie (Okeh) 'Tuna Tuna
Shuntin', 'Tired of Waiting For You,'
'Foolish Little Fella,' 'Down, Down,
Down.'
Lew Brown (Okeh) 'Hearm to the
Finnish Lullaby,' 'The Best of You
Care!', 'What Do You Want from
Your Heart,' 'I'll Sing for You.'

DUCHIN'S HEAVY DISK
SKED BEFORE SAILING

Eddy Duchin will spend an inter-
viewe June 18 recording for Colum-
bia in New York, his lone inter-
view in between clipping to the
Janciero for opening at the Copaca-
caba, Casino del Caribe.
Band ties from Miami to Brazil,
and will probably take in some ad-
ditional first-class bookings, which
they're in the Latin belt. They're
set for eight weeks in Rio.

Marie Winters, formerly vocalled
with Benny Carter, is trying out with
Count Basie's crew.

Bands at N.Y. Hotel B.O.

Table listing bands at N.Y. Hotel B.O. with columns for band name, estimated gross, and cover charges. Bands include The Blue Belles, Rhythm Club, etc.

Table listing cover charges for N.Y. Hotel B.O. with columns for band name, cover charge, and total gross. Bands include The Blue Belles, Rhythm Club, etc.

*Asterisks indicate a supporting floor show, although the band is the major draw.

Miller Nets \$8,363 on 3 Calif. 1-Niters,
Busse, Herman Also Weekend Clicks

Count Basie (Bedford Gros, Manchester, N. H., May 29). Band played
to 1,250 at \$50 in fine gross of \$1,474. Friday (30) at Eglington Square Gar-
den, Boston, \$1,500 paid \$1 a head for sold-out show. Saturday (31)
Basie drew 850 at \$5c into Enoch-Bridge Park, Boston, considered good
spot. At Roton Park, Conn., Sunday (1). Basie was hit by
Tommy Dorsey, 15 miles away at Pleasura Beach, and got only 590 at 5c;
less than \$400.

Henry Busse (Totem Pole B., Aburndale, Mass., May 29-31). On repeat
shows came up with big weekend; 2,300 Thursday, 3,200 Friday and
3,100 Saturday at \$1.5c for busy shows.
Bob Crosby (Hershey Park, Hershey, Pa., May 30). Crosby pulled 1,713
admissions at \$1, 77c and 5c.

Jimmy Fawell (Crown Hall, Philadelphia, May 26). Drew near capacity,
2,750 at \$1.14 for busy gross, \$3,135.
Tommy Dorsey (Pleasure Beach, Bridgeport, Conn., May 1). Day off
from Astor hotel, N. Y. Dorsey copped \$2,250 from that many ticket-
holders at \$1.

Mae Bait (Carsonia Park, Reading, Pa., May 31). Ringling circus
proved tough competition for Hallett; ran 450 at 50c for about \$402.
Erskine Hawkins (Memorial Aul., Buffalo, N. Y.). Just fair bit with
shade over 1,200 people at 8c for \$1,200.
Woody Herman (Lakeview Park, Hingham City, Pa., May 30). Herman
hit high spots with 3,100 at 75c jumping to Hunt's Pier, Wildwood, N. J.,
Saturday (31) and drew season's top crowd of 3,500 at 5c to 75c at
Lake Compounce, Bristol, Conn., Sunday (1) rain hurt, but band got
fair \$400 at 8c. At Town Hall, Phila., on May 29, Herman did well, with
1,200 dancers at \$1.14 for \$1,368.

Inspokets (Armory, Charlotte, N. C., May 27). Spots' take here wasn't
so good, only 783 playing \$40 at 8c dancers, 50c and 60c spectators.
Johnny Hannon (Old Orchard Pier, Old Orchard Beach, Me., May 31).
Playing repeat drive Long crew get record crowd of 2,200 at 65c for about
\$1,430.
Stanley Lopez (Farhamont theatre, Anderson, Ind., May 29). Sub-par
holiday lure of \$1,250 with 2,900 at 40c. Average is \$1,500 in 1,700-seater.
Glenn Miller (Sweet's B., Oakland, Calif., May 25). Miller turned in
some \$2,000 gross from \$200 at average slightly less than \$1. Next day
(28) band took \$2,600 from San Jose fans, losing that many at \$1. Shifting to
Armory at Santa Barbara, Oke band pulled 2,558 buyers at \$1.
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LOCAL 77 AGAIN LOSSES IN COURT

Proser's N. I. Dance Carnival Tees Off Clicko, Grossing \$23,200 On 31,553 Admissions in 3 Days

By ABEL GREEN
Monte Proser's Dance Carnival at Madison Square Garden, N. Y., looks like it has a good chance to click. If it does, it will upset the Broadway dope sharply. Few can figure how Proser and his associates, Dan Arnshein (Yellow Tuxedo), Emil Friedlander (Danzian's), et al., can get it back in 100 days, which is the limit of their summer season at the Garden.

Jitterbugging to triple-feature dance bands in a lively, tropical atmosphere is the come-on. It seems likely is paying off at 44c, 66c, 88c and \$1.10 admissions, with \$1.00 and \$1.40 reserved-seat loge locations, starting off strongly evening (Monday) day, with Saturday nights taken even bigger.

Over the first three-day weekend, the Dance Carnival grossed \$220,000 on 31,553 paid admissions, a staggering total for a ballroom despite the sharp drop-off in the early afternoon and Sunday night. Opening night (Friday) spot attracted 12,872 persons, 13,851 paid, and 1,021 free. Saturday night only 850 were tabulated. Although matinee, Sunday night drew 6,086, and Monday night 4,150.

Friday and Saturday night were big, they made the Sunday night picture on Tuesday evening. Monday evening there will be dancing and refreshments in the Olympic pool. Tuesday evening there will be dancing and refreshments in the Olympic pool. Tuesday evening there will be dancing and refreshments in the Olympic pool.

Monday night (2), as to be expected, was off, only 1,500 admissions, but that is deemed satisfactory in view of the closing of the competitive Roseland and Arcadia ballrooms on Broadway; also the Hotel Astor Hood (Tommy Grant) and the 3 Name Bands.

Benny Goodman, Larry Clinton and Charles Barnet, the club band names, in an alternating marathon performance, are enough lure for anybody's hood. Especially the ballroom type of patronage. Complete name-band strength will be maintained, changing fortnightly or so, depending on availability.

The Garden has a \$1,000-per-day maintenance overhead. In addition to that \$7,000 weekly straight nut, the bands, etc., add another \$10,000. The break is around \$17,000, which later it may be brought down to \$15G.

Arnshein, through John Hertz (Columbia Bros.) of the Paramount Pictures board, is supposedly offering for his former partner in Yellow Tux, and also for his own investment. Arnshein and Proser \$100,000 as a floating balance to get the Garden into shape. Dan D'Arcy, Carnival. Proser, with Friedlander (of Danzian's, theatrical outfitters), and Mark Robinson, a theatrical designer, has done a bangup job.

Tropical Escapade is now very tropical in decor. Giant palm-trees, some 70-foot high, flank the entrance. An effective suggestion is behind the bandstand, towards Ninth avenue side, for suitable atmosphere. The three-floor Garden has 5,000 seats in the world with capacity for 5,000 hooders.

The negative factors are being corrected. One is the raising of the crowd. As is, there is, for instance, no padding of the bandstand around and into the musicians. For another, traffic regulation between streets and the musicians must be regulated via tapes or other avenues.

Rose, to whom anything of size appeals, has been unofficially helping Proser quite a bit with practical showmanship suggestions. Rose has no interest other than a purely personal relationship. Rose is one of the few showmen who believe the Garden's hood policy has a chance. WOR has been doing a great (Continued on page 38)

THESE CANNOT KEEP UP WITH SALES
RCA Mfg.'s Defense Orders Partial Explanation—But Biz So Good All Companies Can't Meet Orders on Time

ALBUMS UP TOO

Record sales of the past six months or so have become so heavy that the plants of major manufacturers have been hard-put to keep up with the demand. In numerous instances the factories have been far behind in turning out pressings, even on fast selling titles which normally would have stacked reserves awaiting export. A recent outstanding case of a hit after a hit batch which was being marketed is Sammy Kaye's "Tiddy." Distributors were left without waxes by RCA Victor's inability to supply them.

In Victor's case the bottleneck is supposed to be partly due to defense work, the RCA mfg. factories have been assigned. Columbia's efforts to keep things running smoother for its employees at its California plant, Pressing turned out at its Bridgeport, Conn., base had to be partly diverted to the west coast to fill the void left by that plant's lidleness, which, of course, made the situation tougher in the east.

Adding to the heavy increase in single record sales, the interest in albums has jumped. Victor last week shipped a weekly average of 100,000 album releases, following Columbia and Decca moves in that direction by about a year. Victor's first eight-sided book to hit the market was a group of piano pieces by Joe Reichman, tagged "Piano Reveries." Its second, out this week, is a round of college tunes by Ozzie Nelson titled "Pop Date."

Booked Well Ahead

Booking of name bands into Memphis, Cedar Grove, St. J., has been settled so far as the early months of 1942, although two of the bands are still tentative. Following the current Bobby Byrne outfit comes Vaughn Monroe for three weeks; Sonny Dunham for two albums, through the summer; Benny Goodman for six, opening in September, followed by Tommy Dorsey for four and Jimmy Dorsey for six weeks. Jimmy Kaye's band, which set a four-week record at the spot recently, is to follow Jimmy Dorsey or next, if not at all.

Hotel New Yorker Wants to Resume Name Bands Pronto; Shortage Now

New Yorker hotel, New York, is hoping to resume use of name bands in its Terrace Room by the end of this week. Spot has been closed to other orchestras since April 11, when a "dinner only" policy, shutting at 10 p.m., replaced the standard opening of the Bobby Byrne outfit.

Dropping of its ice shows and name bands, of which would require a moving spotlight to present. Getting a band for the spot figures to be a problem, with the hotel the better ones already booked for summer jobs. Byrne, who had been in opposition to the New Yorker, Monday. Len Brown is understood to have been offered a 12-week stand at the Log Cabin, Armonk, N. Y., opening July 28.

Local 77 Again Loses in Court On Issue of Reinstatement Of Members Booted From Union

Tommy Grant Orchestra To Visit South America

Philadelphia, June 3. The State Supreme Court on Thursday (29) turned thumbs down on an appeal by Local 77, American Federation of Musicians, against a decision of the State Superior Court ordering the union to reinstate three ousted members with reimbursement for time lost from employment due to the muster for alleged "scale chiseling."

COURT VACATES UNION OUSTER

Julius Cohen, member of the American Federation of Musicians, won an important victory over Joseph Rosenberg, president of New York Local 802, when the appellate division of the N. Y. supreme court, Thursday (29) set aside his expulsion from the union and a \$1,000 fine, and ordered a new trial. The court ruled that Cohen had been expelled by officers who had been charged with wrong-doing by Cohen; and who therefore had no right to act in an official capacity.

Under the constitution of the local, members present changes in the by-laws by sending in written amendments which are published prior to the annual meetings. Cohen sent in an amendment in 1938 which proposed the voiding of the December, 1938, election of officers, and sought to hold a new election under the supervision of the Honest Ballot Assn., on the grounds that the 1938 election was held in fraudulent, dishonest and crooked fashion. Cohen was then charged with unfair dealing with the union and seeking to undermine confidence in its officers. He was subsequently suspended for six weeks.

The unanimous finding of the appellate division was that since the election of Cohen were directed against the officers on the grounds of fraudulent elections, these officers had no right to sit on a hearing on charges against Cohen, and they were disqualified from so doing. Since Cohen was not heard on an unfair one, the court ruled, and he had exhausted all remedies in the union files, the court has the right to set aside the expulsion and order a new hearing in which the involved officers would not sit.

In addition to the band, a singer and possibly a dance team may be a part of the outfit which would require a moving spotlight to present. Getting a band for the spot figures to be a problem, with the hotel the better ones already booked for summer jobs. Byrne, who had been in opposition to the New Yorker, Monday. Len Brown is understood to have been offered a 12-week stand at the Log Cabin, Armonk, N. Y., opening July 28.

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The case grew out of the expulsion for disciplinary reasons of three former fellows in the Carmén theatre pit band, George W. Thpton, Alvin Schatz and Louis Gordon. The trio appealed first to the Common Pleas Court, Judge Thomas D. Finletter of that court held they were not on the union roster. Each man claimed the lost approximately \$800.

The union appealed to the Superior Court, Judge O'Neil. They then appealed to the State Supreme Court. In its petition to the highest court in the State, the union argued: "So long as this opinion stands, a tribunal of any trade association which seeks to adjust controversies among members, or between members and employers, or to enforce the by-laws of the association, and dares to interfere with the right of a court to suppress its interpretation of the constitution of the association. The Supreme Court refused to hear the appeal turning it down without comment."

The three men were accused by the union of playing under scale. The union appealed to the Superior Court. The Common Pleas Court Judge based his decision on the fact that the local had filed its appeal to the International board 31 days after the trial Board's decision, whereas the union's constitution allows but 30 days.

Turntable Program Men Lather at Kenn's Rap About Live Musicians

Record program conductors on various New York radio stations are talking that in the future none of stick Kenn's radio station will be on their shows, when they show up on records. Kenny, radio columnist, has been making a habit of recently took all of the record jockeys to task in his column, for filling their programs with records which should be filled by live musicians. Turntablemen began phoning one another to discuss the matter which was the result.

John Kirby to Victor

Victor Records has taken on the John Kirby band for a series of 10 single discs, which will appear on Columbia Records until recently working on Okeh releases, but his contract with Okeh was voided when he discovered the outfit had recorded behind Una Mae Carlisle for some time.

Martinique Bands to N.J.

When Darlo and Vern Vernon open their La Martinique-in-Jersey, the site of the former Vivian Johnson's roadhouse June 20, the same two bands from the midtown Martinique open there, Herbert Cubello and Eddy Oliver.

SEATTLE MATCH OUT FOR A.F.M.

By DON REED

Plans are complete for the entertainment of delegates to the American Federation of Musicians convention beginning June 8. Registration begins at the headquarters hotel, the Olympic, on Sunday (8) and Monday (9) nights. There will be an hour concert by the Seattle Symphony preceding the official opening of the convention at 7 o'clock Monday evening there will be dancing and refreshments in the Olympic pool.

Tuesday morning's business session will adjourn at noon with the usual dinner. At 7 o'clock Monday evening there will be dancing and refreshments in the Olympic pool. Tuesday morning's business session will adjourn at noon with the usual dinner. At 7 o'clock Monday evening there will be dancing and refreshments in the Olympic pool.

Delegates and their wives and families will be admitted to all sessions. The theater free until five o'clock each day during the convention.

Officials of the American Federation of Musicians pulled out of Seattle where the union opens its annual convention Monday (9). Indications have been given that among the leading problems who have come up before the conference will be the probable effect of Alan Kay's defense efforts on musician employment, police regulations to be adopted toward recorded music, the question of dance band financing and the perennial controversy to increase musician employment in theaters.

His annual report President James C. Petrillo tells of the stand taken by the union in the fight against the purchase of network wires by bands or their booking agents, followed by the formation of the Guild of Musical Artists in the instrumental field and toward broadcast contracts for bands and other A.F.M. branches over continuance of employment agreements.

COLD WEATHER BANDS PEND FOR ASTOR, N. Y.

Astor hotel, New York, which uses name bands in its roof garden through the summer months only, expects to retain that policy through the winter season. Plans are now being made for structural changes and the perennial controversy which may stymie the year-round idea for the coming season. Defense orders have tied up steel and other building materials.

Astor currently has Tommy Dorsey and his band under contract. Dorsey brings in Bill Bradley's crew until Labor Day when normally it closes.

Inside Stuff—Orchestras

Fredley Nagel and his orchestra are counting on the CBS buildup from the Hotel Utah's Starlight Roof Salt Lake City where they are set for the summer as the first real airing of their style. Band has been quietly developing itself for almost a year on the Coast, where they were at the Del Mar club, Santa Monica, for seven months. Joseph Sully succeeds there), but has had no wire, with the lone exceptions of four weeks from the Wishbone Bowl, Los Angeles, last September, and a Fitch handwagon spot. Mary Lane, who has done hit picture work for Metro, is the new singer with Nagel's 10-men setup, which he states is "quite definitely along the Sammy Kaye-Kay Kyser Idea."

It's sort of a family affair but "Feed the Kitty" and "What Has Happened," written by Johnny Torrence, are prominent in the repertoire of the tunes being played at Eastwood Park, Detroit, by Bob Chester's band. What Has Happened is that Chester is the husband of Edna Torrence, who prior to their marriage, formed a dance team with her brother, Johnny. Now that the dance team is no more, Torrence has turned to tune-writing, getting a lot of help from his brother-in-law's band. He also has formed his own band which assures his tunes of double plugging.

Jack Egan, former p.a. for Tommy Dorsey and now manager of the Alvino Ray band, pops up in all sorts of capacities. He's working in the floor show at the Meadowlark Club, N. J., doing a takeoff on Deems Taylor during a bit in which the Ray band burlesques an opera piece. Says it gives him something to do beside worry about the next night's business. Ray outfit stays at the Rustic until the end of June, when it hits the road.

When Hal Grayson opens for four weeks at Catalina Island, July 13-Aug. 9 he will bring six coast-to-coast pickups over. CBS' very week Grayson has a new style "Musical Magic" in his 14-men setup, which includes four vocalists, Wray Sherwill, Ted Tubb, Bob Lee and Alan Brooks. His team comprises four saxes, four brass and five rhythm including Solovox.

Proser's Carnival

Continued from page 35
traillizing job, picking up the three bands over the Mutual network for an hour and a half of consecutive music the first two nights; then at intervals.

Charity Preview
A charity fete for Greek and combined allied war agencies, chaired by Mrs. Howard Dietz, gave the Garden a horsey sendoff at a special preview premiere, ahead of the Friday (30) debut. Captioned the Bandwagon Ball, at \$1 to \$5, with boxes at \$100, it's estimated that some \$10,000 was realized. Only Clinton of the regular bands participated then; the Ray Hutton and Leo Reisman were the voluntary guest bachelors. A midway aspect with all

sorts of gaffs and gimmicks, further helped part the customers from some folding money. A hard liquor bar, also, did quite well.

Money-making Sideights
Sideights on the Garden, for money-making purposes, are many. The 10c checking privilege is one thing. The sandwiches, beer and wines are another. No hard liquors are being sold as yet, though Proser has a license to do so. Figures the fine-water may result in disturbingly many. A 25c champagne (cocktail) and 10c cigar (canape) bar is another fancy touch.

On the subject of cotroom checking, the Saturday night influx exhausted the available space at 10 p. m. and emergency quarters had to be set up. They were still coming at midnight, with a triple-line around 50th street reminding of the Wednesday morning jitters crowds at the

Broadway Paramount. There was also plenty of spending at the seven food, drink, etc., stands, total take averaging \$2,200 nightly.

Colored patronage proved no problem. It was expected that the Garden, always drawing sporting crowds, from Harlem, would ditto with lowdown bands like Goodman and Barnett. Incidentally, there were also quite a few dancers from below the Mason-Dixon line among the customers. The jitters habit of having couples dance together, and showoff their legmanias is a bigger headache, and must be periodically curbed. Two gals dancing together is OK.

The seats at \$1.10 and \$1.40 customers in the lozes seemed to enjoy it all as a good floor show, especially when the kids were cutting up.

Barnie Vice Goodman
Ben Bernie follows Goodman after two weeks, but stays only a week, when Vaughn Monroe is set for 28 days. Clinton and Barnett will remain for the first four weeks. With 5,000 hooding on the floor and another 5,000 in the stands, that's quite a crowd, even for the Garden which, incidentally, has cut its normal 18,000 capacity down by lowering a false ceiling, thus blocking off the entire top gallery.

A Minsky stripper behind the giant waterfall is a little extra touch for the customers, that being the only thing approximating a show, besides the bands. The customers are their own best floor show.

Other Proser wrinkles: free dancing lessons by Arthur Murray instructors every night between 7-8 p.m. Two-for-one admissions for men in U.S. service uniforms; i.e., bring your gal for one admish.

Duke Daly's Corporation

Albany, N. Y., June 3
Duke Daly Orchestra, Inc. has been chartered to conduct a business in operating orchestra, etc., with principal office in Manhattan. Capital stock is 100 shares, no par value.

Directors are: Duke Daly, attorney John S. Leonard, Alys Shafer, all New York City.

Tris Hansen, trumpet, replaces Phil Rommell with Charlie Spivak. Rommell remains, however, as arranger.

BAND ROUTES

(WEEK OF JUNE 2)

Present whereabouts, or fixed addresses, of dances orchestras are shown below, alphabetically arranged. Every effort will be made to keep the list as complete and correct as possible. Band leaders and their managers are invited to cooperate by notifying VAUNDT of changes and corrections. There is no charge for listing.
Abbreviations used are as follows: B—ballroom; C—cafe; CC—country club; H—hotel; NC—night club; R—restaurant; T—theatre.
Bookish office abbreviations are: MCA, Music Corp. of America; G.A.C. General Amusement Corp.; CRA, Consolidated Radio Artists; F. B., Frederick Bros.; Wm. M., Wm. Morris.

Abba, Vic, Book-Cadillo H. H. Detroit.
Alcove, Van, CIA, N.Y.C.
Allen, Ed, Cafe Society, N.Y.C.
Alexander, Gordon, Club 18, N.Y.C.
Armstrong, Louis, Cafe Society, N.Y.C.
Armand, Gene, Hotel, N.Y.C.
Arlow, Fred, Hotel, N.Y.C.
Avery, Mitchell, Lakeside Park, Denver, Colo.

Bardo, J.H.I., Cafe, N.Y.C.
Barlow, Ralph, Peony Park, Omaha, Neb.
Barrett, Charlie, Madison Square Garden, N.Y.C.
Basso, Paul, Wm. M., N.Y.C.
Barry, Dick, Joyland Park, Lexington, Ky.
Baron, Blue, Edison Hotel, N.Y.C.
Barth, Alvin, Hotel, Atlantic City, N.J.
Bass, Charles, CIA, N.Y.C.
Basso, Harvey, Tom House, Pottsville, Pa.
Belgian, Bunny, MCA, N.Y.C.
Bernie, Ben, MCA, N.Y.C.
Beebe, Don, Hill Garden, Pittsburgh, Pa.
Biele, Teddy, Venetian Gardens, Altoona, Pa.
Bier, Misha, Waldorf H., N.Y.C.
Bishop, Will, Wm. M., N.Y.C.
Bradshaw, Ray, Mt. Vernon C.C., Colton, N.Y.

Brown, George, Mt. Vernon C.C., Colton, N.Y.
Bryant, Lou, Roosevelt H., New Orleans, La.
Buck, Alvin H., Hill, Meth. Hilton, Mt. 20th Century T., Buffalo, N.Y.
Bundy, Rudy, Springhurst C., Lexington, Ky.
Burns, Henry, Wm. M., N.Y.C.
Burr, Bobby, Meadowbrook, Cedar Grove, N. J.

C
Callaway, Carl, Sherman H., Chicago, Ill.
Carr, Irving, Unwoven's Hotel, N.Y.C.
Carter, Henry, Mt. Cole, N.Y.C.
Castro, Ed, Nicollet Hill, Minn.
Cavaliere, Carmen, Hudson, Fort Lee, N. J.

Chester, Bob, Eastwood Park, Detroit, Mich.
Chavez, Fred, Meadowbrook, N.Y.C.
Chen, Rocco, MCA, N.Y.C.
Chilton, Paul, Park Center, N.Y.C.
Clinton, Larry, Madison Sq. Garden, N.Y.C.
Coe, Jay, Wm. M., N.Y.C.
Conner, Ray, Sway H., N.Y.C.
Conroy, Emil, MCA, N.Y.C.
Cooper, Ray, Hickory House, N.Y.C.

Courtesy, Del, Stevens H., Chi. (C.R.A.)
Crawford, Fred, Hotel, Jacksonville, Fla.
Crosby, Danny T., Pica, Omaha, Neb.
Curtis, Melvin, Waldorf H., N.Y.C.
Cushman, Ben, Meadowbrook C.C., St. Louis.
Curtis, Frank, MCA, N.Y.C.
Curlish, Herbert, Ut W. 21st St., N.Y.C.
Cutter, Ed, Wm. M., N.Y.C.

D
Daly, Duke, Park Center, Cedar Grove, N.Y.C.
Davis, Eddie, La Rue's, N.Y.C.
Deary, Jack, Roosevelt H., Jacksonville, Fla.
(Continued on page 84)

Jurisdictional Dispute Of Pettillo vs. AGMA

Up in Albany Thursday
Hearing of the American Guild of Musical Artists suit against the American Federation of Musicians and its president, James C. Pettillo, is now scheduled for tomorrow (Thursday) in the Court of Appeals, Albany. Briefs were submitted several weeks ago and the case was to have been argued by counsel last Thursday (29), but was postponed.

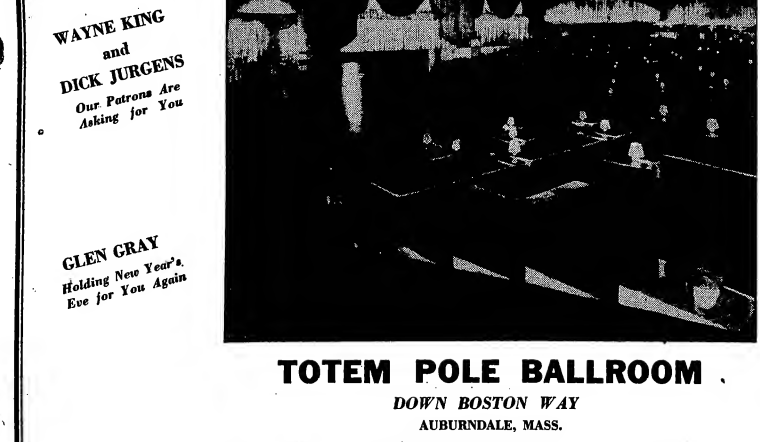
Case involves AGMA's plea for an injunction to restrain Pettillo from carrying out his threat of barring from radio, recordings, films, etc., any instrumentalists who refuse to join the AFM and resign from AGMA. Preliminary relief was granted by the New York Supreme Court, but the Appellate Division denied the application for an injunction and dismissed the complaint.

A PERSONAL MESSAGE FROM ROY GILL TO:--

ABE LYMAN, TOMMY DORSEY, GUY LOMBARDO, OZZIE NELSON, GEORGE OLSON, GLEN GARY, AL DONAHUE and every other band that has played this spot: **WHEN ARE YOU COMING BACK?**

WAYNE KING
and
DICK JURGENS
Our Patrons Are Asking for You

GLEN GRAY
Holding New Year's Eve for You Again



JAN GARBBER
It's Been a Long Time Since You Were Here Last

TOTEM POLE BALLROOM

DOWN BOSTON WAY
AUBURNDALE, MASS.

Put Your Knowledge to the Test! YOU KNOW WE ARE NOW ON THE MUTUAL NETWORK

To Avert Chaos Florida Anti-ASCAP Law Is Slated to Be Amended Soon

ASCAP officials believe that the action taken by Florida state authorities over the past week will tend to stem any anti-ASCAP legislation. Even though the U. S. Supreme Court upheld Florida's right to restrain ASCAP from doing business in that state, state officials have prevailed upon ASCAP to go on operating as at present until the law could be so amended as to allow Florida music users to make blanket contracts with ASCAP, if they so desire.

Florida's attorney-general invited ASCAP to send down some representatives for a discussion just as the Society was preparing to notify its Florida licensees that all contracts were herewith cancelled and that these licensees would have to do business direct with the copyright owners represented in the ASCAP repertoire. With the constitutionality of law banning performing rights licensing by agents confirmed by the highest court, a percentage of the Florida music users suddenly came to the conclusion that the withdrawal of ASCAP's service would create a state of chaos for them. They would have to seek out the owners of thousands of copyright and failing this expose themselves to a deluge of infringement suits. Film exhibitors were reported as those most worried by the practical effect of the law's enforcement, since the music comes to them already inscribed on sound tracks.

It was reported that Broadcast Music, Inc. had also been a party to the protest to the Florida authorities, but Sidney M. Kaye, BMI v.p., denied this Monday (2). Kaye stated that he did not think that the Florida law was applicable to BMI, but that if it developed otherwise BMI would agree to give its allied publishers, such as E. B. Marks, the right to license Florida bars. He stated the Florida law bars any one not owning the copyright to deal with a local user.

The trip to Florida in ASCAP's behalf was made by John G. Paine, general manager, and Herman Finley, of general counsel. It is understood that Florida's attorneys would render an opinion which in the next week to the state legislators showing how the present law could be so amended as to make it possible for ASCAP to continue to operate in the state.

BMI 'Not Affected'
Broadcast Music, Inc. issued a statement Monday (2) that the decisions of the U. S. supreme court in the cases in the Nebraska and Florida cases will in no substantial way affect either the structure or the activities of BMI. This organization, said the statement, has already taken steps to comply with all state statutes applicable to it.

Also that the very premise upon which BMI was founded was that there should be an avoidance of all of the monopolistic features of ASCAP, which, says the statement, "has long been held to be illegal. To this the statement adds the assurance that BMI will continue to be able to make all of the music licensed by it available to all music users in all of the states in the United States."

BMI Gets Parity With ASCAP
Milwaukee, June 3. Technical differences in the consent decree signed by the American Society of Composers, Authors and Publishers with the government and the one signed by Broadcast Music, Inc. and the two radio chains NBC and CBS have been ironed out in an order signed by Judge F. Ryan Duffy in federal court. The chief difference was in the contractual relations which ASCAP could negotiate under its decree.

Godfrey Goldmark, counsel for BMI, told the court the difference gave ASCAP a competitive advantage which the government did not contemplate in obtaining the agreements from the parties involved to cease altered antitrust practices in the field of copyright music.

The modifications, which now put ASCAP and BMI on a parity, had the approval of Thurman Arnold, chief of the antitrust division of the Department of Justice, and Victor O. Waters, special government counsel.

Court-Shy ASCAP

ASCAP may not go through with the appeal that it had proposed to take from the decision if got some time ago from a Washington state court which refused to declare the Washington State anti-ASCAP law unconstitutional on the ground that ASCAP had not come into court with clean hands. ASCAP figures that in light of the unfavorable ruling it obtained from the U. S. supreme court on the Florida and Nebraska cases another appeal in connection with similar legislation might prove equally futile.

In the Washington state case the statutory court held that ASCAP was a monopoly and as such it had no sound standing in a court of equity.

Band Bookings

- Van Alexander, June 13, week, Starlight Park, New York City.
- Ralph Barlow, June 21, two weeks, Ralph Park, Minneapolis.
- Oscar DeLaron, June 18, Rhumba Casino, West End, N. J.
- Jimmy Dorsey, June 9, U. of Virginia, Charlottesville, Va.; 10, U. of Richmond, Richmond, Va.; 11, Farmer's Warehouse, Petersburg, Va.; 12, Reg. Capitol theatre, Washington, D. C.
- Ella Fitzgerald, June 9, Skating rink, Jackson, Miss.; 10, Aud. Hattiesburg, Miss.; 11, New Parish Training School, New Iberia, La.; 12, Pecos, Abilene, Texas; 13, Rouser, 14, Palm Isle, Longview, Tex.
- Erskine Hawkins, June 13, Community Center, Petersburg, Va.; 14, Pecos, Abilene, Texas; 15, Army, Danville, Va.; 16, June-German Jamb, Rocky Mount, N. C.; 17, Coon Jackson, Norfolk, Va.; 18, Seaside Park, Norfolk, Va.; 19, Roseate Beach, Millbrook, Va.
- Woody Herman, June 8, Turner's Hall, Washington, D. C.; 9, U. of Maryland, Baltimore, Md.; 10, Surf Beach Club, Virginia Beach, Va.
- Milt Herth, June 14, indef., Syracuse hotel, Syracuse, N. Y.
- Inezita, June 8, Jacksonville Beach, Jacksonville, Fla.; 9, Two Spot Club, Jacksonville; 10, Sunshine Club, Orlando, Fla.; 11, Sunset Terrace, Palm Beach; 12, Harlem Square Club, Miami; 13, Aud. Tampa; 14, City Coliseum, Orlando.
- Isham Jones, Aug. 8, week, Coney Island, Cincinnati; Aug. 20-30, Palladium Park, Fort Lee, N. J.
- Johnny Long, June 7-8, Million Dollar Pier, Atlantic City, N. J.
- 8, Ende theatre, Washington, Pa.; 11, Perry Motor Co., Elizabeth City, N. C.; 12, Army, Danville, Va.; 13, 14-20, Cavalier Beach Club, Virginia Beach, Va.
- 11, Municipal Auditor, San Bernardino, Cal.; 22, Shrine Aud., Los Angeles; 24-30, Coney Island, Coney Island, N. Y.
- Little Jack Little, June 13, Riverside B., Oshkosh, Wis.; 14, City Park, Great Bay, Wis.
- Abe Lyman, June 7, Meadow Acres, Topeka, Kan.; 10, Cotton Club, Lubbock, Tex.; 20, four weeks, Palladium, Hollywood, Cal.
- Lani McIntyre, June 16, two weeks, Lani's Merry-Go-Round, Dayton, O.
- Johnny Messner, June 14, week, Coney Island Park, Cincinnati; June 18, week, Manhattan Beach, N. Y.
- July 20, week, Totem Pole B., Auburn, Mass.; Aug. 1, four weeks, Jacksonville hotel, Jacksonville, Fla.; Sept. 8, indef., McAlpin hotel, N. Y.
- Toey Pastor, June 9, Carolina theatre, Greensboro, S. C.; 10, Miller theatre, Augusta, Ga.; 12, Two City Club, Winston-Salem, N. C.; 13, Co. Hillion Dance, Rocky Mount, N. C.; 14, Tybee Beach, Savannah, Ga.
- Alvino Rey, July 4, Lakewood Park Mahanoy City, Pa.; July 25, week, Eastwood Gardens, Detroit.

RAN WILDE IN SEATTLE
Seattle, June 3.
Ran Wilde and his orchestra opened at the Olympic Hotel on May 30. Earl Smith and band, out of Olympic, back to Sun Valley. Wilde is in for three weeks, to be followed by Bill Roberts.

\$5,000 SONG SUIT
Kasee Tusenith's 'Grief' Claim On UA Over Melody
Serge Adelstein will be examined before trial June 10 in N. Y. federal court in connection with a \$5,000 suit he is bringing against United Artists Corp. Adelstein is the assignee of one Beresovsky, a Russian composer.
Beresovsky wrote a song entitled 'Be Still, My Grief, Be Still' in 1930 and subsequently assigned it to Adelstein. It is claimed the song was used without permission in UA's 'We Live Again.'

Counsel Advises Against Pubs Making Improvised Plug Deals With NBC, CBS

As the consent decree which ASCAP obtained from the government became operative yesterday (Tuesday) there arose among publisher and writer members the question of whether they were free to license their works direct to NBC and Columbia pending the signing of a contract between the two networks and the society. According to the opinion of ASCAP general

counsel such procedure was barred by the terms of the consent decree and that any direct licensing between ASCAP member and user must be confined to hotels, cafes, theatres, dancehalls and taverns.
For the past several weeks there has been much talk among some publishers and writers affiliated with ASCAP of not waiting for the

(Continued on page 38)

BROKE ALL EXISTING RECORDS IN 4 WEEKS JUST COMPLETED AT FRANK DAILEY'S MEADOWBROOK

VARIETY said (issue MAY 28th)
Swing or Sweet, Both B.O.
Swing music and sweet music seem to be alternating places this spring. Results of the 'experiment' with Sammy Kaye's sweet outfit at Frank Dailey's Meadowbrook, Cedar Grove, N. J., jive spot, gave Kaye new records. For the four-week stretch completed Sunday (25) the outfit set attendance and gross marks, topping figures originally established by Glenn Miller, Tommy and Jimmy Dorsey, the three most powerful swing groups.
In only one instance did Kaye beat a former weekend record, that for the past Friday and Saturday (23-24). His business was evenly strong over the four weeks. Band bookers were intensely interested in the data, one of its results being that Kaye was offered a stretch at the Palladium, Hollywood, which has used only one sweet band so far.

Swing and Sway with SAMMY KAYE and His ORCHESTRA

Currently
ESSEX HOUSE
NEW YORK
NBC RED NETWORK

PERSONAL MANAGEMENT:
JAMES V. PEPPE

DIRECTION:
MUSIC CORPORATION OF AMERICA

Mutual Network Plugs

The following tabulation of network popular music performances is confined to WOR, New York release for Mutual Broadcasting System. This publication has a cover for the week beginning May 26 (Monday) and ending June 1 (Sunday), from 8 a. m. to 2 a. m., and is based on daily recapitulations furnished by Accurate Reporting Service, which maintains files on listening posts.

TITLE	PUBLISHER TOTAL
I Understand	Feist 15
Understand	Feist 9
I Found a Million Dollar Baby	Remick 9
Intermezzo	Schuberth 9
Dolores—Las Vegas Night	Warren 9
Love Me a Little Little	Mayfair 7
Amapola	Marks 6
Do I Worry?	Mark 6
You Stepped Out of a Dream—Ziegfeld Girl	Feist 6
Nighty Night	Beacon 5
Begin the Beguine	Harms 5
Corn Silk	BVC 4
Do I Worry?	Melody Lane 4
Maria Elena	Southern 4
Memory of a Rose	Shapiro 4
Music Makers	Paramount 4
Tale of Two Cities	Embassy 4
When the Sun Comes Out	BVC 4

*Musical scores.

NBC-CBS Plugs

Following compilation of plugs on NBC and Columbia's New York outlets (WJAF, WJZ and WABC) for the week beginning Saturday, May 24, and ending Friday, May 30, from opening to closing, was furnished intact by Broadcast Music, Inc. This data was not collected by listening posts but from logs provided BMI by the networks.

Intermezzo	Schuberth	46
Things I Love	Campbell	42
My Sister and I	BMI	38
Do I Worry?	Marks	35
Amapola	Marks	35
Maria Elena	Southern	33
Romance Guy, I	National	30
South of North Carolina	Fergie	30
Two Hearts That Pass in the Night	Marks	28
Number 10 Lullaby Lane	Warren	28
Until Tomorrow	Republic	26
Walkin' by the River	BMI	22
Let's Get Away from It All	Embassy	21
Wise Old Owl	BMI	21
Oh! Look at Me Now	Marks	20
Yours	Embassy	19
G'bye Now	BMI	19
Yours	Marks	19
With a Twist of the Wrist	BMI	18
Hut Sut Song	Schumann	17
Everything Happens to Me	Embassy	17
High on a Windy Hill	BMI	15

Studios Take Part In Music Clubs Conclave

Hollywood, June 3. Film studio musicians, who help entertain delegates to the National Federation of Music Clubs convention, to be held in Hollywood-Bowl June 21.

Chairman of the studio group is Nat W. Finton, who will conduct an orchestra composed of musicians from all the film lots. They will play classics and scores from important motion pictures.

Walter Samuels and Charles Newman sold two songs to Hal Roach for use in "All-American Girl." Ditties are "I'm Up at the Break of Dawn" and "I'm a Guy With a Chip On My Shoulder."

15 Best Sheet Music Sellers

(Week ending May 31, 1941)

Intermezzo	Schuberth
Things I Love	Campbell
Hut Sut Song	Schumann
My Sister and I	BMI
I'll Be with You in Apple Blossom Time	Broadway
Maria Elena	Southern
Number 10 Lullaby Lane	Warren
South of North Carolina	Fergie
*Dolores (Las Vegas Night)	Paramount
Amapola	Marks
Do I Worry?	Melody Lane
Two Hearts That Pass in the Night	Marks
San Antonio Rose	Berlin
Band Played On	Warren
Walkin' by the River	BMI

*Musical.

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by the major coin-machine distributors from coast to coast, to VARIETY. Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures and names in parentheses indicate the number of weeks each song has been in the listings and respective publishers.)

1 Amapola	Jimmy Dorsey	Decca	(12) Marks
2 I Understand	Jimmy Dorsey	Decca	(10) Feist
	King Sisters	Bluebird	
3 Dolores	Bing Crosby	Decca	(8) Paramount
	Tommy Dorsey	Victor	
4 Apple Blossom Time	Andrews Sisters	Decca	(4) Broadway
5 Intermezzo	Woody Herman	Decca	(4) Schuberth
	Benay Goodman	Columbia	
6 My Sister and I	Jimmy Dorsey	Decca	(2) BMI
	Benay Goodman	Columbia	
7 Music Makers	Harry James	Columbia	(6) Paramount
	Andrews Sisters	Decca	
8 Oh Look at Me Now	Tommy Dorsey	Victor	(8) Embassy
	Woody Herman	Decca	
9 Band Played On	Guy Lombardo	Decca	(8) PD
	Jesters	Decca	
10 One I Love	Tommy Dorsey	Victor	(14) Foster
	Glenn Miller	Bluebird	

DISKS GAINING FAVOR
(These recordings are directly below the first 10 in popularity, but proving in demand on the coin machines.)

G'bye Now	Sammy Kaye	Victor	Republic
Daddy	Horace Heidt	Columbia	BMI
Hut-Sut Song	Vaughn Monroe	Bluebird	
My Sister and I	King Sisters	Bluebird	
Aurora	Horace Heidt	Columbia	Schumann
Nighty Night	Jimmy Dorsey	Decca	Robbins
Sorrento	Andrews Sisters	Decca	
Everything Happens to Me	Alvin Ray	Bluebird	Beacon
Until Tomorrow	Dick Jurgens	Bluebird	
Let's Get Away from It All	Woody Herman	Decca	Southern
Friendly Taverna Folk	Al Donahue	Okeh	PD
	Woody Herman	Decca	
	Woody Herman	Decca	
	Sammy Kaye	Victor	Republic
	Woody Herman	Decca	
	Tommy Dorsey	Victor	Embassy
	Horace Heidt	Columbia	BMI
	Sammy Kaye	Victor	

Right to Ignore ASCAP Buy Music Directly Is Sense of Court Verdict

Omaha, June 3. In re the upholding of the Nebraska law (directed at ASCAP as "monopoly") by the U. S. highest court, William J. Hotz, Omaha attorney who argued the case before the supreme court, chuckles at followers: "This gives Nebraska radio stations, orchestras and all other music firms in the state the right to ignore ASCAP and negotiate directly with publishing houses and composers on fees to be paid for use of music now controlled by ASCAP. I suppose negotiations will be started immediately with publishers and composers individually."

A radio station exec opined that the decision affords the states which have laws outlawing organizations such as ASCAP:

White-Smith Files in N.Y.

Albany, June 3. White-Smith Music Publishing Co., a Massachusetts corporation, has surrendered authority to do business in New York state, but White-Smith Music Publishing Co., Inc., has been chartered to conduct a music publishing business with principal offices in Manhattan. Capital stock is 1,000 shares, no par value.

Directors are Philip Shapiro, Milton Touchette and attorney Louis Earl Zisus, of New York City.

Counsel Advises

(Continued from page 37)

conclusion of an ASCAP-NBC-CBS agreement, but of going to the networks as soon as the consent decree became effective and offering to let them broadcast their new tunes just for the plugs. In the viewpoint of ASCAP counsel NBC and Columbia would be violating the terms of the consent decree if they agreed to any such arrangement, since the decree bars an ASCAP member from granting licenses or assigning to persons, firms, corporations or enterprises, including Broadcast Music Inc., the right to license or assign to others the right to perform publicly for profit the copyrighted musical compositions whose performing rights are owned or controlled by members of the society.

By virtue of their methods of operation NBC and Columbia would on obtaining an individual license from an ASCAP member go through the process of relicensing the stations on their networks. And in this very process that the consent decree gives ASCAP the power to regulate as far as the networks are concerned, are concerned. According to the consent decree a performing right must be identical at the source but, as ASCAP counsel points out, that mandate does not open the way for the networks to weaken ASCAP's control over its members by doing business direct with ASCAP members in behalf of other licensees.

THEME SONG OF MAXWELL HOUSE COFFEE-TIME

AND I

A GREAT SONG BY MEREDITH WILLSON

SOLE SELLING AGENT—MUSIC DEALERS SERVICE, INC. 799 SEVENTH AVENUE NEW YORK

Vote System at ASCAP Criticized

But It's Defended as Necessary Protection to Those With Most at Stake

Membership of the American Society of Composers, Authors and Publishers at a special meeting in the Hotel Astor, N. Y. Monday (2) raised and intact the amendments to the articles of association as reported by the by-laws committee and approved by the board of directors. Amendments were considerably beyond the relations required by the terms of the Government's consent decree and broadened in many ways the mutual processes of committee appointments, classifications reviews and amendment adoption.

Major objections voiced at the meeting had to do with the new methods of vote weighing. Under the present by-laws author-composer members are entitled to one vote for each \$30 received during the previous calendar year in domestic royalties from the Society, while the ratio for publishers is one vote per \$500. Among those who protested against this vote basis was George Whiting. He said that he couldn't understand why every member shouldn't have an equal vote in electing the directors. For an analogy he pointed to the American elective system where an alien once he becomes a citizen has the same balancing power as someone whose family citizenship dates back four or five generations.

Protection
Another objector on this point was Sammy Myers, who said that he hoped to be a high-rating writer some day but that that didn't prevent him from wanting to see that each member's voting power on an equal basis. A vocates of the proposed vote weighing arrangement stated that if the organization would be truly democratic it was necessary that those with the more important cases be invested with some safeguards from the overwhelming majority which had so much less at stake. Such a system, it was said, was founded on an equitable, democratic principle. For everybody to have an equal vote when their catalog investments varied enormously would be something leaning more to communism.

Louis Bernstein, chairman of the by-laws committee, presented the amendments to the membership, while Gene Buck, ASCAP prez, presided. Before the meeting was passed a vote of thanks was passed for Buck and the current board of directors.

Kayo Shepard's \$100,000 Suit Vs. Decca Records

Ollie Shepard's \$100,000 suit against Decca Records, Jack Kapp, J. Mayo Williams, the State Street Music Publishing Co., Mayo Music, Chicago Music Co. and Record Artists Music Co. was dismissed Wednesday (29) by Justice Bernard I. Sweeney in N. Y. supreme court. The court ruled the complaint was insufficient to state an appropriate cause of action.

Shepard claims that in November, 1937, Williams, an employee of Decca, persuaded him to sign a contract with Decca which called for 25% royalties on the sale of all sheet music and a minimum of 24 records yearly.

Shepard claims he recorded over 500 selections which sold over 500,000 records, but that he has received nothing. Kapp is president of Decca and the other companies are Decca subsidiaries or owned by Decca.

Jack Stool, former professional manager of the ABC Music in New York, heading Berlin Music's Los Angeles branch.

WCAE Has ASCAP Remotes

Pittsburgh, June 3. Couple of local night spots will go back on the air shortly with ASCAP music, with WCAE as the outlet. Although Hearst station hasn't signed a contract, agreement is reached to broadcast ASCAP music whenever it is available on the Mutual network. Arrangement for the present will make it necessary for WCAE to feed remotes to MBS and then have the web re-broadcast it into Pittsburgh channels.

Celebrating its resumption of ASCAP music, station last night (2) broadcast its program longer than usual, until 2 a.m., carrying music of Art Jarrett, Jan Savitt and Dick Gasparre. WCAE switches the November from NBC Red to Mutual, and has already started to give MBS programs a big push.

Cross-Examinations Of Both Von Tilzer, Feist In Kenny Bros. Song Suit

An application by Leo Feist, Inc. to halt its own examination before trial until the examination of Harry Von Tilzer is concluded was granted yesterday (Tuesday) by Judge Edward A. Conger in N. Y. federal court. The court ruled that the decision by refusing to allow a substitution of Harry Link in place of Abe Olman. The court ruled that even though Olman might not know the answers to the questions asked, another could not be substituted without proper notice.

Von Tilzer Music Co. and Von Tilzer individually are suing Feist, Nick and Charles Kenny, charging plagiarism of substantial parts of the "Song of All Aboard For Blantyre Bay" in "Little Skipper". Plaintiff's song was written by Von Tilzer in 1910 and the defendant's song placed on the market Jan. 1, 1938. An injunction, accounting of profits and damages are asked.

Sidney Mills Prof. Mgr. Of Uncle's Music House

Sidney Mills has been named general professional manager of Mills Music. Inc. is a son of Irving Mills, partner in the firm, and he comes from the American Academy of Music, another Mills publishing house.

Young Mills is making a swing of Mills Music's branch office; this week.

\$25,000 SUIT VS. PEER

Associated Music Pubs. Co-Defendant in Claim Over 'Ga. Grind'

An order declaring Ralph S. Peer, doing business as United Publishing Co., must be examined before trial in N. Y. supreme court on June 12, revealed a \$25,000 action against him and the Associated Music Publishers, Inc. by Bud Allen. Justice John F. Carew ordered the examination.

Plaintiff is the owner of the song, "Georgia Grind," and claims to have made a deal with Peer for the latter to secure an RCA Victor contract for the recording of the song and to receive 50% of the royalties. Peer kept all the royalties, and granted Associated certain public performing rights, plaintiff claims in seeking \$25,000 damages.

(Peer is currently on a tour of his South American subsidiary companies.)

Didn't Know Words

Philadelphia, June 3. The effect of the ASCAP ban on the radio showed up in a striking fashion at the "Fight for Freedom" rally at Convention Hall last Wed. (28). Irving Berlin appeared to sing his "God Bless America." While killing time before Mayor LaGuardia's speech was to begin, the air, Berlin tried to lead the crowd in singing some of his hit tunes. The attempt was in fruit. No one knew the words.

Still No Deal Between ASCAP And NBC-CBS

NBC and Columbia spokesmen have during the past week contributed some mathematical callistics to the negotiations with the American Society of Composers, Authors and Publishers on a new licensing agreement. In terms of actual progress the bargaining parties seem to be getting nowhere. ASCAP officials and directors are reconciled to the two networks going through the paces of trying to work out a deal so long as the Washington situation continues to be uncertain for them (NBC-CBS), and if the networks suddenly get to the point of polishing off a contract no one would be more surprised than these same ASCAPs. (Meanwhile individual ASCAP publishers and collaborating writers are still talking about the retention of a nationally-known law firm for the filing of triple-damage conspiracy suits against NBC, CBS and the National Association of Broadcasters.)

From the two networks came the admission late last week that they were pretty close with ASCAP on the matter of money, but that there are many details of the proposed contract that had yet to be settled. NBC, for instance, was seeking to have ASCAP make a liberal slash in the advertising payments from affiliate stations, agree to protect the network on royalty obligations in the case of states where affiliates were barred by law (such as Nebraska and Florida) from dealing with copyright combinations and to submit what NBC termed a "legitimate" per program plan.

On the Columbia-ASCAP front the negotiations were temporarily brought to a halt last week when Edward Klauber, CBS executive v.p., telegraphed the Society that perhaps it would be advisable for either side to defer further discussions until they had had time to digest the practical effects of the Nebraska-Florida decision. The telegram concluded with the suggestion that ASCAP get in touch with Klauber when it was ready to resume negotiations. ASCAP the following day (Wednesday) advised Klauber that it had examined the decision and that it was ready to go on with the contract discussions. Clifford Ruvoyn, CBS v.p., has been doing most of the preliminary paper work with ASCAP.

VAN HEUSEN, PRINCE HURT

Come Down in Distress in Songwriter's Private Plane

Songwriter Jimmy Van Heusen and arranger Graham Prince are nursing injuries sustained last week while flying in from Hollywood in Van Heusen's plane. Ship came down on a mountain about 70 miles from Nashville, Tenn. Van Heusen walking away from it with an arm fractured in three places and a lacerated nose, and Prince receiving rib injuries.

Crash was blamed on faulty replacement of a gas tank cap on Little Rock, Neb. Cap flew off and suction created by the plane's flight siphoned the gas from the tank. Plane is a new one which Van Heusen flew to the Coast last fall. It was lightly damaged.

Van Heusen's latest tunes are those from Bing Crosby's film "Road to Zanzibar."

THE LEAGUE OF YOUNG AMERICANS INCORPORATED

is seeking exceptionally talented male and female instrumentalists between the ages of 16 and 30, and vocalists between 16 and 25 for the

YOUNG AMERICANS ORCHESTRA

To Be Conducted by

RAYMOND BRIDGE


Applicants Must Be American Citizens

And Apply by Mail Only to the League Headquarters

HOTEL ROOSEVELT, NEW YORK

You'll Understand Why It Fits Any Program When You --hear--

PANCHO'S
RECORDING OF
HINDUSTAN
In Conga Rhythm
A FOSTER PUBLICATION



DECCA RECORD 3620

N.Y. Commissioner Moss in New Drive To License Agents, Aided by Verdict Of U.S. Supreme Court Limiting Fees

License Commissioner Paul Moss, on the basis of the recent U. S. Supreme Court decision in the case state right to limit employment agency commissions, is launching a new drive to license all representatives in New York. At the same time, Commissioner Moss' new letter, has notified all licensed agents that they must conform to the state law limiting commissions to 5%. Only possible exception are those 10-percenters who are proven personal managers rather than acting as a between an employer and a performer.

Commissioner Moss' hand in licensing agents was considerably strengthened last week by the conviction of Wednesday (28) in Special Sessions court of James A. Victor, an agent, for doing business without a license. Victor comes up for sentence June 11.

Since taking office, Commissioner Moss, a Mayor La Guardia supporter, and brother of E. S. Moss, once a leading theater operator, has frequently attempted to force all of his theatrical agents to be licensed. In the two instances there were test cases, involving Charles H. Allen, then partner with Jack Curtis, and William Shilling. In both the City Corporation Council, presided for by the License Department, lost.

Since then, however, there have been a couple of cases won by performers against agents, or vice versa, in which the salient evidence was that the agents were common law courts ruled against the agents. As a result, the License Department has proceeded in licensing all agents in the past couple of years, but there still remain many unlicensed agents.

The Artists Representatives Assn. is planning to have an amendment introduced in Albany which would give the state legislature which will exempt theatrical representing agents from the 5% law. The amendment stipulated in the Labor Law governing employment agencies. When questioned as to why he would exempt theatrical agents in this, Commissioner Moss stated last week that a decision of the kind would be in the best interests of Mayor LaGuardia's office.

ARMY MANUEVERS CALL OFF H-A CAMP SHOWS

Chicago, June 3. Hearst Herald-American army camps shows and units, which had toured throughout the country for license and army leaders, have been called off for the summer due to the fact that most of the soldiers will be involved in long-range maneuvers. Jack Mallory, H-A managing editor, instigated the production of the shows for the army camps. Under the setup, the Hearst guaranteed all expenses of the show.

Gourtain Quits as WB Stager to Write Play

Harry Gournain, after three years as producer of the pit shows on War Bros. Strand, New York, is resigning to devote himself to collaborating with Sidney Field. Gournain had written music titled 'Here's Mud in Your Eye.' Gournain's resignation at the Strand will be the show headlining Guy Lombardo, opening June 26.

Gournain will spend July and August at Grossinger's, Flatlands, N. Y., a stager of the pit shows on Broadway. All spare time besides to his writing job with Field. Besides writing the play, they will be producing on Broadway. Another probable Gournain connection in the fall will be the Milton Blakestein production Agency, in the radio department.

WB has not yet chosen a successor for Gournain as stager at the Strand.

TRENTON'S BURLESK

Trenton, June 3. Burlesque returned to Trenton for the first time in 66 years, it is decided on Memorial Day, when Allen Gilbert's 'New York Follies' opened a week's engagement at the Victoria. Gilbert plans a full summer series, but is not business warrants

HELLER CONVINCED

So He's Leaving His Pit Nitty for the Spotlight Shows

Pittsburgh, June 3. Jackie Heller, half-pint singer who has been turning down all outside engagements for last six months in order to put over 'Yacht Club,' a comedy which he and his brother, Sol Heller, operates, figures spot is now in the bag, result of recently-instituted name policy, and will pull out middle of this month for Brandt Inn, Burlington, Ontario, where he will be singing at the Grand New York, for a week, and then to Capital, Washington.

It'll be first time he's been away from 'Yacht Club' in more than three months. Even while on Ted Rio-Rito radio program out of Chicago, he used to fly there just for the show so as not to miss a session at his

S. F. HOTEL CAFE OUT OF RED; BOOKS NAMES

San Francisco, June 3. Palace hotel's Rose Room is now definitely out of the red and will flourish July 10 with the De Marcos. Carl Ravazza's orch, Benzie Parry and John Buckmaster. Improvement is credited to Bill Brown, who took over the program out of Chicago. Rose Room had lost \$28,000 in one year.

During Brown's initial year he crawled over the line to emerge \$500 in the black. So far this season he has already made \$300.

Following Ravazza, Brown has re-booked two of the bands which he had previously had. One is coming in Aug. 21, and Guy Noble due in October. Current is Ozzie Nelson with Harriet Hillard.

Danny Kaye

(Continued from page 3)

The actor is balking at being shifted over to Music Corp. of America, but is expected to buy the kind would be in the best interests of his talent subsid.

A registered letter meantime went from AFRA to Ed membership to vote by June 12 on their attitude concerning the MCA's deal. Most lawyers aver that this is even an ice company decision that could sustain any balking actors. They also aver that the deal is not even a business such as divorcing artist Mayor Robert M. Masterly service, and hence 'could' be sold down the river.

The trade, meantime, believes that this or the proposed Hollywood-MCA Artists Bureau deal, or any other such conceivable avenue, is the way for much talent-raiding among the agencies, should certain actors object to shifting their affiliations.

HIRSCH-KATZ CLEARED OF AMUS. TAX CHARGE

Monopsony, June 3.

Harry Hirsch and Hugh Katz who operate the Alvin (Burlesque) has been cleared of non-payment of amusement tax, after a court dismissing the charges against them. Judge G. F. Sullivan in Federal District court, leveled a fine against the Follies Amus. Corp. which they head and which pleaded guilty to the charge.

Unaware that any criminal offense was involved, the corporation had delayed making the tax payments during a very unprofitable operation of the Alvin with a vaudeville company. Most have been regularly, but the internal revenue department did not press the collections. All arrears now are paid up.

LIFTING CURFEW ON CONN. FEMS

Hartford, June 3.

Definite indications have been given that the controversial 10 p.m. curfew law applied to female musicians and entertainers will be amended. Both the senate and house of the General Assembly have passed a bill amending the statute. It goes to Governor Hurley for signing.

Under amendment, any female entertainer over 21 would be permitted to work under a permit from the State Commissioner of Labor and Factory Inspection. Hours of employment are restricted to 40 a week and not more than eight in one day.

Person to whom permit is issued would have to establish to Labor Commissioner that her sole occupation is that of a professional entertainer or musician. Permits will be issued only to women who are licensed as such by the Commissioner since fit, not exceeding one year. This would prevent necessity of taking out a permit for each appearance.

Hard hit by the bill will be the so-called small-time bookers. Great numbers of these acts are booked to the semi-pros (those who do other jobs, but make an extra dollar or two on the side). Will still affect many of them from using high school graduates and college students in all of these acts in the state those in the below 21 or semi-pro class.

DELIBE ON HIS OWN

Pittsburgh, June 3.

Joe Delibe, big blonde lad with Tom Gleason's Royal Guards, vocal staid, has been let out of the group, left act here last week to go out on his own as a single under personal management of Harry Gournain, of New York's Strand theater.

Deal with Gournain was made when Royal Guards played Strand in January but didn't go into effect until first of this month.

Bluenoses in New Drive to Clean Up New Orleans French Quarter

New Orleans, June 3.

The night spots in the French Quarter—vivid memory in the minds of those who lived through it—have a historic section of the south's leading metropolis—are under fire. Calling for more than 400 arrests, and dusting conditions in the area, a group of civic leaders have formally asked Mayor Robert M. La Follette for restrictions governing night spots, bars and women in the Quarter.

In an effort to make the quarter quieter and more sedate, the group has proposed that the city issue more bars with hostesses from being established near private homes. The group also requests that the city provide that there are now over 100 bars, a great many of which are alleged to be operated in an illegal manner. A survey made some time ago showed 175 bars in the Quarter, but the city has about 105. 'Property owners and householders' are for some years have sought an

unsuccessful fight to 'tone down' the French Quarter, but under the militant leadership of Mrs. Elizabeth Werz, who was elected city leader, a resident of the quarter, the red light area has been banished and other improvements have been made. Now the group wants the city to refuse to issue permits for new bars and night spots and to limit numbers of those now in operation.

In spite of the clean-up move now being made, the city councilmen tonight continue to draw their patrons from dark to dawn, as they improved. The city councilmen, who the operators plainly admit they're a bit worried because the Mayor and members of the city commission council have been under political fire for some time and, with an election coming, are anxious to get the quarter 'clean up.'

Only last week a stag party for several of the quarter's best known strip teases performed was raided and over 100 patrons arrested.

The Good Old Days

Herewith appears a VARIETY review of a N. Y. Palace bill of 20 years ago. The intention is to reprint these weekly using the relative value of the current law review. No review is more than the interest they may have in recalling the acts which were playing at that time, the manner of putting together a big time show (bookings), which radio shows may be pertinent ones, or the resume of the style of vaudeville reviewing of that day.

(Reprinted from VARIETY, June 3, 1921)

PALACE, N. Y.

A big show; that goes for the running time, but more pertinently the general merit of the bill. There were three production acts—the Santley 'Poo', and that is no surprise. The last week the satiric fashions with the Marxes in an uptown house, but the champ's date in Jersey next week to it with Rocky Kansas made it imperative for him to stick to training. With a review of the act, it was a big show.

Leo Marx is more the true comedian than any of the family's former operators. He is a 'papa' of the 'Mezzanine' turn as much as ever before, and a quick thinker who has a quick wit. He was with the act in the city, displaced that Monday. When 'Red' muffled the bottle of booze. It lay to the floor. The brothers showed teamwork that resembled a short-vaudeville act in seconds. One was on a stool, the other on a bench, and dashed off. But Leo made pretense of sopping up the spilled 'licker' on a kerchief and using it as perfume.

There were several changes after first Palace showing and some new laughs. Leo supplied most of the new stuff. When informed that 'Mr. Good' had lost most of his money before he died,' he replied, 'Yes, I know. I was with a Ford car and a Ford car is a new song number, and it is pretty. Instead of the jazz band finish there was an ensemble of only those in the act. Hatte Daring, only featured in the scene. He was on a stool, the other on a bench, and dashed off. But Leo made pretense of sopping up the spilled 'licker' on a kerchief and using it as perfume.

With the Marx act over at 5:10, there was a wait for Bobby McLean, who closed the show. Approximately few people left the house. Leo Marx stepped in on states on McLean's introduction, supplied laughs and came in on the act. If he got tired, he was with the act in the city. He had a routine, Burks and Blue were to be the act at the matinee, probably because of the interest. McLean contented himself with the jumping stunts and dancing on his knees. He was on a stool, the other on a bench, and dashed off. But Leo made pretense of sopping up the spilled 'licker' on a kerchief and using it as perfume.

William Sealbary has been showing his 'Frolics' dance revue in the theatre. He brought back a lot of new material, and the routine are unchanged in general, there are some new members in the act, and they stand out. More particularly, there is Beth Cannon, who is doing a very good job. She is a good dancer, and she is a good singer. The Hope Sisters are still in the act and performing nicely. Others are Rose Stone, Ramona and Sylvia. With a very rich man having missed his chance at the piano. The Frolics closed intermission, drawing down the biggest applause score of the evening.

'Dance Me' Dotson, the colored stepping single, sold his routine so well on second that he came near stopping the show. He won the first big returns with the Scotch step. In stalling for breath for his finale, he asked a question of his audience, then mopped his brow with a blotter. It was a big laugh.

Two numbers later, Boyle and Kramer, started in quicky. Kramer said they don't do any 'meat' business, but he has the right to 'meat' a bun-stall out of Dotson.' That brought the colored boy on again, demanding to know what it was all about. The pair of them made a 'contest' of it, Dotson stepping and Kramer dancing. Dotson stepped, and Kramer danced. He was running tenth. He singled and a double dance worked out well and took Dotson out of the picture. Boyle and Kramer scored with 'Dance Me' Dotson, is sporting a pair of 'pants' that would be funnier minus two grease spots.

Ciccolini took up the running after intermission, displaying his splendid voice in a routine of songs and piano accompaniment played brilliantly while the operatic tenor changed and escorted in 'one' in 'Pagliacci'. The matinee crowd was not excited as before. The new routine, but the handsome Italian made his usual distinct impression.

The three Lordons opened.

Saranac Lake

By Harry Bentley

Saranac Lake, June 3. Your columnist is mastering a setback that has kept him in bed for 10 days. He is recovering, but in hand, states his medical.

Harry (Juggling) Barrett licked a new and better version of his act, into circulation at his 302 Broadway cottage. Barrett has also lost nearly 200 pounds since his first night. He went far, went well.

DOING fair has hooked up with a number of new acts, including announcers to its staff.

Thanks to Billy (Scratch) Wallace, Barrett's manager for two long years and magis to the colony.

Uncle Henry Berlinghoff

Recently was 70 years young, will be surprised to learn that the gang of this Colony are taming a buck deer. He has a son, and a daughter, and a son that he can bag his annual wild (T) bucks.

Ed Rogers hospital topped with visitors during Decoration Day. Over 200 roses were represented, accompanied by a letter from the hospital. Uncle Henry Berlinghoff, Johnny Penn, Bobby Puffer and Clyde Chagron topped with gifts from Mrs. Anderson, Conny Inland, days and a Bronx product, to the Bigtown for a number of years ago.

Tudor Cameron now connected with the Dehm Film Co. of St. Louis. Write to those who are ill.

Rockwell's GAC Joins Wm. Morris in Dickers for NBC Artists Bureau

NBC is holding 'conversations' with the William Morris Agency and General Amos Corp. (Tommy Rockwell) on the sale of its Artists Bureau subsidiary. NBC's Artists Bureau claimed a \$400,000 net first last year.

The Morris office was the first to enter the talks on a deal, but was not this agency's counter-offer was not known. Last week a feeler was sent out with the latter interested if certain stipulations are met by NBC. Still another feeler mentions Al Bloomgarden, of the department store, who is dabbling in show biz, chiefly light.

Meanwhile, CBS' board of directors last week (28) ratified the sale of that network's artists bureau to Music Corp. of America, with the final decision now up to the stockholders for ratification. "Later" is expected to take from 10 to 20 days, which means that the deal will not be finally consummated until then. Exact terms of the deal have not been disclosed, but it's reported MCA is paying about \$175,000 for CBS' Artists Bureau, plus taking over the latter's entire personnel and including Herbert J. Rosenberg, former NBC executive vice-p. v. p. of MCA. An idea of the artists bureau's business can be gleaned from the Federal Communications Commission's report on chain broadcasting, which reported the CBS Artists Bureau had having done a gross business of \$184,757 for the year ending Jan. 1, 1938, with a net profit of \$23,771.

CBS Concerts Corp. The essential terms for the sale of CBS' 85% interest in the Columbia Broadcasting Corp. back to the network managers who have been directing that subsidiary's affairs have already been set and not yet voted upon by the CBS board. According to the FCC report, the Concert Corp. for 1937-38, for the year ending Jan. 1, 1938, did a gross business of \$428,413 and showed a net profit of \$49,233.

The sale of NBC's Artists Bureau will include the concert, lecture, theatre and radio performers it has under management contracts with. While NBC hasn't as many concert names under contract as the Columbia Concerts Corp., it has such potent attractions as the Ballet Russe, Marian Anderson, Fritz Kreisler and Serge Rachmaninoff. Other names under the management of the NBC Artists Bureau are Fibber McGee and Molly; "Information Please"; Dorothy Lamour, Dinah Shore, Yvette, Frank and the Fouries; and others.

Meanwhile, CBS Artists is reading to move over to MCA, pronto, in order of waiting 60-90 days. MCA is adding an extra half-hour in its Squibb Bldg. hq. to accommodate the lecture department's staff of 17.

Cosalt Sabat In Deal

Hollywood, June 3. Columbia Pictures, subsidiary of CBS Artists Bureau, will pass to Music Corp. of America, under control as soon as word is received here that CBS board of directors and stockholders have ratified the buy of CBS Artists in New York. Management here has 85 clients on contract and a staff of 10 headed by William Forbes.

"Crazy With Heat" Set For Wash, Pitt Dates
"Crazy With the Heat" unit has been booked by Warner for the Washington, Wash. D. C. dates from June 19 with the Stanley, Pittsburgh, immediately following. A booking at the 20th Century, Buffalo, is also pending. Miles Ingalls is agenting.

Add: MCA-CBS Gags

The merger has inspired the wags, one observing that Harry Bestry is taking over the WINS Talent Bureau. Another observes, "Now Al Grossman will take over the WQXR record library."

RKO WITHOUT AN STAGE SHOWS

RKO, once the nation's leading vaude circuit, starting this Friday (3) will not have a vaude bill in a single house. Same straight film policy prevailed in the early part of last summer.

Stage drought affects the Palace, Clevel., and Keith's, Boston, only RKO theatres playing vaude this week.

CHI THEATRE CAFE CLOSES AFTER PINCH

Chicago, June 3. Theatre-Cafe, formerly Michael Todd's Theatre-Cafe, closed down early on Thursday (29) morning, Saturday (31) the shutting was made permanent when Mayor Edward Kelly rescinded the spot's license.

Police a couple of weeks ago arrested eight employees of the Theatre-Cafe for selling booze to minors. This was after Michael Todd had told out his controlling interest in the spot. The buyers, police claim, were backed by gangsters and immediately gave the huge ninety-five 'wide open' policy. Todd had run the Theatre-Cafe as a family spot, and selling out demanded his name be taken off.

George Jessel was the headliner on the closing show, with Lou Holtz having been set and advertised to open on Friday (30). This marks the third important Chicago nitery, to shutter in the past month, two others having been touched by hot coppers on gambling charges. These were the swank Colony Club and the Alhambra, right across the street from each other on the near-northside.

Schmidt's Revamping Ky. Hotel for Nitery

Pete Schmidt and his son, Glenn, formerly operators of the Beverly Hills Country Club, Newport, Ky., are revamping the Glenn hotel, Newport, and will open in July with a new and remodeling job it is said to be costing \$50,000.

Miles Ingalls, who books Beverly Hills out of N. Y., will do the same for the Glenn hotel. Sub budget for the latter spot will be around \$150,000, modest in proportion with the Beverly Hills' talent outlay.

WARN MPJLS. NITERRIES

Mills, June 3. Taverns and niteries where liquor is sold have been warned by the state attorney general that child performers under 18 years of age are prohibited under state laws from appearing in such establishments.

Many of the places have been using the children in amateur shows.

DUFFY AS PRES., N.Y. Theatres Reach Agreement With Teamsters on AFM Issue; Pact Averts Staghens Action

All 3 Have Long Records in Show Biz - New Exec Secretary Believed to Have Been Elected Virtually Unanimously

RICHMAN BEATEN

First meeting of the newly elected national board of the American Guild of Variety Artists was held Monday (2) afternoon, and out of it emerged Gerald Griffin, who has been acting as general administrator of the AGVA for the past few years, as national executive secretary. Morton Downey was elected by the board as national president, and Henry Dunn (Cross Dunn), was re-elected treasurer.

The exact vote on Griffin is not known, but is said to have been virtually unanimous. Others who were nominated for the executive secretary post were Alan Correll, head of Theatre Authority; Tom Phillips, head of the National Artists, Actors, and Bob Edwards, who is executive secretary of AGVA's local and national branches.

Besides Downey, only one other name, that of Harry Richman, was proposed. That was the president, a member of AGVA's new national board and present at the meeting. However, there was no opposition to Henry Dunn as treasurer. A newly elected officer and head take hold of AGVA with the variety actors union in the best financial shape since it was started by the Associated Actors and Artists of America as replacement for the disbanded American Society of Actors (Ralph Whitehead). It is stated that AGVA now has close to \$100,000 in the bank, as against the completely depleted treasury when Milton took over.

Griffin worked same pay plan as he had in the past. The AGVA administrative post last February, worked without salary. In fact, he had been handling one of the Four's Act that the press of AGVA work was so great he was neglecting his own AGVA work. His salary of \$75 will continue for him. This rate of \$75 was voted for him. The rate of \$75 was voted for him. The rate of \$75 was voted for him. The rate of \$75 was voted for him.

Berie-Lopez to Break in For N. Y. Par in State Is.

The New York Paramount is offering next week's show (11), top-draw at the State and Victoria Lopez' band, a one-day break-in (10) at the Paramount in Stapleton, N. Y. The house of Merle Varney at a stage show in at least eight cities. Besides Berie and Lopez, layout includes a new Merril Verity at The Jansleys. They'll play three shows in the one day on Staten Island.

Formerly, the Par has been breaking in the Broadway shows at the State and Victoria Lopez' band. The house is presently undergoing renovations.

Slapsy Maxie Pulls Out of H'wood Nitery

Maxie Rosenbloom pulled out of Slapsy Maxie's management in Hollywood. Sammy Lewis is running the spot, with Ben Blue buying in.

LITOMY PICKED AS COAST SEC OF AGVA

Lellie Litomy, organizer in New York, has been sent to the Coast as executive secretary of the American Guild of Variety Artists local there. He was appointed by the national office for a three-month trial period, after which it will be decided whether or not he'll hold the job permanently.

When Thomson first appointed Travers there was criticism from the national office in N. Y., but this quickly died down when it was discovered that Travers was doing an okay job. Criticism was due to the fact that Travers was originally the Hoy-Haddock-sponsored executive secretary of the AGVA's local and national branches.

Jack Naples, owner of the N.T.G. Revue, was ordered Monday (2) to serve a 30-day sentence in the Adelle Co., Inc., Sharbu Operating Corp., Robinson Operating Corp., and the N.Y. Supreme court.

N.T.G. REVUE CANCELLED, BRANDT SUED FOR 20G

Brandt, operator of all three corporate defendants who control the Flatsub and the Carlton Theatre, N. Y., to exhibit his show at the theatre beginning in December, 1939. Naples was to receive 20% of the gross and a minimum guarantee of \$3,000 a week. Brandt cancelled the show on Nov. 24, 1939, and Naples other dates he might have made for his revue, it is alleged.

S. F. Stairway to Stars Lowers Its Talent Nub

San Francisco, June 3. Joe Tenner says he has booked a Cyrene and Leo into the deal the way to the Stars nitery starting next Wednesday (11). Nick Lucas is current headliner. The show is being booked by the Stairway to Stars.

Bookings have been switched from MCA to Bert Levey office and will continue to be Levey office.

New York's major circuits and one leading indie theatre chain opening up a vaudeville mangle Thursday (28), were able to reach an agreement with the Teamsters Union that terminated the pooling of all pop-priced stage show houses and legit musicals in N.Y. Theatre men promised the teamsters they would 'use their good offices' to effect an amicable adjustment with the musicians' union, with whom the teamsters were principally in dispute, and also assured the teamsters that they would see to it that every truck carrying musicians' instruments and props en masse for pop-price theatre would be unharmed.

Neither James C. Petfillo, president of the American Federation of Musicians, nor Jack Rosenberg, prez of N. Y. local 10, were invited to the meeting, held in the office of Charles C. Moskowitz, Levey's attorney, who has been in the office of adamant against the teamsters' demands, but neither could be reached for comment on the settlement as it was held left for the AFM convention in Seattle, starting June 9. Both Petfillo and Rosenberg had already seen the teamsters' demands that they carry musicians' instruments and props to pop theatres at the rate of \$10 per man daily and \$20 per man at night.

The worst Staghenshade move Theatre men called the meeting when it was reported to them that the success of the International Alliance of Theatrical Stage Employees was on the verge of meeting the success of the Local Union. This would have closed all pop theatres in N. Y., plus the legit musicals, as it had prevented all the previous 'Tuesdays' of the 'Theater Aunt' at the Flatbush, Brooklyn, Tom Murdock and the 'Lovers' local in Brooklyn and president of the Central Labor Council, was invited to the meeting and by offering them the theatre men call Edward O'Donnell, business agent for the teamsters and running the union in the absence of Martin Lacey, who is ill. O'Donnell agreed to the theatre men's plan and the meeting was called off by four o'clock Thursday afternoon.

The previous day, William Brandt, of the Brandt theatres, appeared before the executive board of the teamsters' union and offered them an agreement that was adopted by all the major circuits the following day. It succeeded in having a route called off from in front of the Flatbush, Brooklyn, and Windsor, Bronx, and the 'Lovers' local in Brooklyn legitiers. Brandt pointed out to the teamsters that his houses were being kept open by keeping on legit in the summer, but that the teamsters were being kept open by offering them the theatre men call Edward O'Donnell, business agent for the teamsters and running the union in the absence of Martin Lacey, who is ill. O'Donnell agreed to the theatre men's plan and the meeting was called off by four o'clock Thursday afternoon.

Present at the meeting in Moskowitz's office, plus Murtha and O'Donnell, were representatives of the teamsters, Ben Paramount, RKO, Rocky Theatre, Music Hill and Center theatres, and the 'Lovers' local in Brooklyn.

Up until the report that the stagehands in N. Y. might decide to talk to the I.A.C. about having a route called through the teamsters' pickets. This brought down the wrath of the haul-cutter, who were the stagehand union. The teamsters then refusing to halt the scenery of legit shows in reprisal against the teamsters' action. The haul-cutter's union, the 'Lovers' local, operated at the Adams, Newark, sans scenery and the Shubert's and the 'Lovers' local in Manhattan last night (Tuesday), was placed in jeopardy.

It's reported that rank and file members of the stagehands' union criticized the union for not 'ignoring the strike line' and for not 'ignoring the Central Labor Union. This may have prompted the IA to call an extraordinary meeting (Continued on page 42)

A. B. Marcus Blames Political Feud For Show's Mass. 'Indecency' Rap

Editor, VARIETY:

Your paper and your readers have known A. B. Marcus and his shows for many years now. We have played the best theatres and circuits not only in the United States but throughout the world. Managers have been happy to welcome us back and to play the show again and again. We have a pardonable pride in the business we have done for the theatres throughout the world and a pride in the many friends we have made.

Therefore, it is unfortunate your paper had to go to lengths to tell about the 'indecency' trouble we had in Springfield, Mass. There is nothing indecent about the show nor about the Hacha San Golo Dance which has been performed in theatres everywhere and which never before offended anyone. Our show was definitely made a scapegoat in a local political feud and it is unfortunate that the trade papers had to accept a story on the face of it, without considering the fact of A. B. Marcus. In a little story, the papers gibbered down what it has taken years for me to build.

It is unfair, don't you think? For instance, here is a letter written by Benjamin Domingo, manager of RKO Boston. It reads: "To whom it may

concern: This A. B. Marcus show, as presented in Boston, was clean, satisfying entertainment. There is nothing of salacious or censurable nature in the entire show. If you desire, I would be happy to send literally dozens of similar commendations from theatres every-where.

Max Finn of Springfield wrote this: "We were well satisfied with the type of entertainment from a moral standpoint as well as from a business standpoint. It is absolutely a clean and wholesome presentation. Due to the fact that we had some difficulties with the authorities in the Mayor's office prior to the Marcus show, this show was used as a scapegoat when it played Springfield. This was most unfair to Mr. Marcus and regrettable to me. I am booking the same show at Worcester after playing at Springfield and shall book it wherever else I can. You have my complete assurance that I consider the Marcus show on a high standard." This was written to I. Rapaport, of the Hippodrome, Baltimore.

I believe the Marcus show has been treated unfairly and I am certain that VARIETY will go to bat to see that a fair play is given where fair play is due.

A. B. Marcus

JURY ASKS CT. TO SHUT PHILLY COLLEGE INN

Philadelphia, June 3. The College Inn of the University of Pennsylvania, which has run about the law on at least four occasions during the past year, was singled out by the May Grand Jury last Thursday (29) for a loud blast. The jury, in its final presentation, asked Judge Vincent A. Carroll to close the place for good. The place, frequented by Temple students, has been shut about eight times since 1934, on these charges.

Two other spots were cited last week to show cause why their licenses should not be revoked for public safety. The first was the Romanian Inn, operated by Frankie Bradley, ex-boxer, and the New 20th Century Club, owned by Frankie Palumbo.

Dario-Vernon Cold On Ex-White B'way Spot Due to Upped Terms

Dario and Jim Vernon are ex-protestant leasers of the Gay White Way (nee Cotton Club) on Broadway, due to revamped demands from Walter J. Salmon, the landlord, and the creditors committee of the now folded George White tony. This deal was around \$15,000, but the demands have since upped to around \$27,000, from reports, and they bowed out.

Clifford C. Fischer who was also interested likewise has now cooled, for the same reason.

While it is said to have bowed out of the spot owing more than \$35,000, any new leasor is expected to shoulder the burden of the major portion of this debt, with White giving the creditors personal notes on the balance.

Teamsters

Continued from page 41

ective board meeting to reconsider the matter.

Among theatre men there's growing sentiment, as a result of their being put in the middle of a purely jurisdictional squabble—one that had its comic oper touches in the beginning—that there's a growing demand for a protective theatre organization, possibly along the lines of the defunct United Managers Protective Assn. It has been pointed out that theatres are now at the mercy of a number of unions, any one of which, or all combined, could cripple the industry by either a serious jurisdictional dispute or a strike against a theatre.

The unions are the IATSE, Teamsters, Billposters, Porters, Musicians, Treasurers, Theatrical Managers, Agents, Wardrobe and Motion Picture Operators. Plus these there are other important actors, Equity and the American Guild of Variety Artists.

Griffin Named

Continued from page 41

the national board, to which he also was recently elected. This leaves still another post to be filled on the board by the board itself.

At the Monday meeting, the board took steps to fill most of the posts left empty by the election of only 25 to a constitutional complement of 45. Lucio Cristiani (Ringling Circus), and Skippy Baxter ('It Happens On Ice'), were picked to represent the circus and stage fields, respectively; Dave Fox, Hal Sherman, Jimmy Hollywood (Radio Rogues), and Joe Smith (see Dale) are new members at large; Helen Sanford and Marion Redman were chosen to represent changes in interiors and variety houses, while AGVA's 10 branches, including New York, were asked to pick one more delegate each, raising the representation of each local on the board to three.

AGVA's constitution also calls for five vice-presidents, but these were not elected at the 4th board meeting and probably won't be for another four or five weeks, when the board will meet again.

Mobile Units All Set for a Tour Of 'Army Camp Time'; AGVA Terms

Initial unit of the seven mobile shows to be sent through the Army camps during June by the Citizens Committee for the Army and Navy has been set—except for the start-up and will open at Fort Bragg, N. C., Monday (10), under the leadership of another unit is partially arranged and, like the first unit, will go into camp while the trucks for the five additional troupes, are being renovated in Detroit and will be ready to start their tour by the 15th.

Performers signed for Unit A, all of whom will be paid above the American Guild of Variety Artists' minimum of \$60 a week for principals, are Milton Douglas, m.c.; Lucille Johnson, warbler; Margot Sisters, two dancers, and Ginger Higgins, hot chanteuse. Star names to be featured are the two 10-day stand here, the delay in getting someone being caused by the necessity for waiting until the one who is to be featured.

Unit B will include Lew Parker & Co., m.c. and stooges; Ted Lester, who plays a variety of musical instruments; and Florio, a variety dancer. All are working under two week-contracts, with Citizens Committee guaranteeing fare back from the farthest point, ordinary transportation, lodging and other expenses.

Where the second unit will play after it gets to Dixie hasn't yet been determined, nor have routes been established for the five trucks which will leave Detroit. Routes are being made up by morale officers in each corps area in consultation with military chiefs in those areas to provide the greatest coverage in the least time.

Rose's Farewell

Decision to push full speed ahead on the 'medicines show' mobile program was reached at a huddle of morale officers from the four eastern corps areas at Fort Dix, N. J., last Thursday (29). Officers had come in the previous night to view a trial demonstration of the show-on-trucks idea staged by Billy Rose. Rose put on three shows in various parts of the giant cantonment, with general agreement by military and civilian officials alike that they were a great success. Performers were Milton Berle, m.c.; Ginger Harmon, songstress; Fil D'Orsay, who sang and clowned with the boys; Jane Froman and Bill Robinson.

Trucks, loaned by General Motors, are admirably suited for the purpose. Nicely repainted and furnished with drops by Army workers under the supervision of Arthur Barlow, Billy Rose's stage manager and technical director at the Diamond Horseshoe, N. Y., they opened from the city in a parade at about 13 or 18 feet. Second truck was used for camp orch led by crew of 15 soldiers, trained by Barlow, packed up the show in six and one-half minutes, moved it to another location, and set it up for the second

show 13 minutes later. Amplification equipment, supplied by the Army at Dix, will be added right to time to give the full entertainment session.

Show Falls

Hattiesburg, Miss., June 4. All-American Girl Show folded at Camp Coopers when it slipped out of camp two months to the day after it started its tour of Army cantonments in New York City. In April, losses were too heavy on the \$2,000-a-week unit and it will return to New York for a possible scaling down in size to fill the two months of camp dates it still has booked.

The show had probably pulled out of camp on unexpected field maneuvers was the final blow to the struggling unit. The show had 10-day stand here, although on two of the days it played to mere handfuls of soldiers at the camp where it was to be featured. At Fort Benning, Ga., the show was even worse. Out of a 10-day booking, the show had to close for four days when the entire camp personnel was suddenly called out to the front.

H. E. Booker, former British impresario, who produced the show, also discovered that playing some of the small camps he had booked was completely uneconomic, that the show could probably pay only the largest of the Army posts. Booker had planned establishing other units to cover the smaller camps, but the camps, but has presumably given up the idea, at least until the soldier-training program settles down again next fall.

Intra-Camp Dramatics

Camp Lee, Va., June 3. Policy of the commandant here, Major Gen. James E. Edmonds, that there shall be no paid admish shows except the films at the War Dept. theatre, has resulted in plans to feature step up intra-camp dramatics. It's hoped that a soldier stock company, presenting a different bill each week, may fill the gap.

St. Braces Conning, who did quantities of strawhat production before the Army got him, and is assistant to the morale officer, is lining up theatre and the other lack of two weeks of rehearsal and one of playing. Shows set are 'Yellow Back Room Service', 'First Legion, Journey's End', 'Gold in the Hills', 'Emperor Jones' and 'Boys Meets Girl'.

There are two difficulties, however. One is the lack of an adequate theatre and the other lack of coin. Recreation Hall has no facilities, while War Dept. theatre must be used for production of plays. Daniel Frohman is here commanding a battalion. He is Lieut. Col. Louis H. Frohman. He is currently advising on his battalion's presentation of a version of 'Ten Nights in a Barroom' from the Francis H. Geary of the N.Y. Times.



BEATRICE KAY

Star of The Gay Nineties Program

NOW IN THE THIRD WEEK
PARAMOUNT THEATRE, N. Y.

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To thank her sponsor the
MODEL TOBACCO COMPANY
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Broadcasting Every Monday
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Personal Manager—TOM KENNEDY

THE CENTRES OF THE STARS

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J. H. LUBIN
GENERAL MANAGER

SIDNEY H. PIERMONT
BOOKING MANAGER

STATE, N.Y.

Gus Arheim Orch (13) with Kay Vernon, Andy Russell; Jackie Moran, Frankie Rosolino, Fred Lowrey, Bertie...
Woman's Blaine, 'That Hamilton Woman' (1A).

Sold hour of entertainment. With Gus Arheim's surprisingly good vocal and a hard punch in 'Rockie Miles (New Acts), plus the Rosario Rhoton duo.

Combinations of hoops, large rubber balls and plates make up 'Frisbee Ball'...

Rosario and Antonio present unusual, but talented, fresh versions of the 'Icazo'...

A few weeks out of George White's musical comedy 'Yankee Doodle Dandy' on Broadway, Arheim's band shows up as an outfit that fits easily into...

Despite those five sexes and only two female dancers...

Barbara Bink breaks into the 'Mexican' routine of high kicks, including the 'Dance Oriental'...

Lyric. Indpls., May 30.
Ford Hester Orch with Larry Clayton, Mimi Conroy, Fred Lowrey, Bertie Pierce, Bertie...

About two years ago Horace Heidt and his crew moved into the Lyric for a week's stay...

LYRIC, INDP.

Heidt has been back since and once again, his crew has reformer mark. This time he is determined to better his old mark, and get 50,000 to help...

Doona and Her Don Juans open with 'Hit-Sit Serenade' while Heidt roves the audience...

Duane and Her Don Juans open with 'Hit-Sit Serenade' while Heidt roves the audience...

Barbara Bink breaks into the 'Mexican' routine of high kicks, including the 'Dance Oriental'...

STANLEY, PIT.

Edward C. Hill, Bonnie Carter and H.W. Kallenberg. Tosses in a 'Traveler' for good measure.
Favorite with audience is Frankie...

Plenty of marquee strength for hopes and plenty of talent. Stanley, with supporting acts being principally responsible for the latter.

Heidt has been back since and once again, his crew has reformer mark. This time he is determined to better his old mark, and get 50,000 to help...

KEITH'S, BOSTON

Count Berni Vic's unit with all-or-nothing orchestra (12). Line (8). Foul Kirkland & Co., Fred Lowrey, Bertie Pierce, Bertie...

Count Berni Vic's unit has been playing around, and when it came in here, they were in a jam...

Rochelle and Bebe come on midway and make a fair showing with the two comedy ballroom routines.

Next-to-closing spot is reserved for 'Abe Lincoln' and is a touching, friendly fellow whose material is a great improvement...

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STEELE PER, A. C.

Milton Berle, Dinah Shore, Ben Janky Sings (6). The Jansleys (4). The Five Jollys (4). The Great American Broadcasts.

It's a knockout show Milton Berle has been mounting here at Steele Per, which officially opens the season at this shore...

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PITTSBURGH, MAY 30

Lorraine McLaine, Jimmy Simon, Victor and Rogman, Wesson Bros. (10). Stuart Doran, Fred Lowrey, Bertie Pierce, Bertie...

Plenty of marquee strength for hopes and plenty of talent. Stanley, with supporting acts being principally responsible for the latter.

Heidt has been back since and once again, his crew has reformer mark. This time he is determined to better his old mark, and get 50,000 to help...

BIRMINGHAM, MAY 29

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Rochelle and Bebe come on midway and make a fair showing with the two comedy ballroom routines.

Next-to-closing spot is reserved for 'Abe Lincoln' and is a touching, friendly fellow whose material is a great improvement...

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ST. LOUIS, MAY 30

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STATE LAKE, CHI

Don Hutten, Dolly Gray, White Guards (8). Lila Ray, Paulie, White Shore, Walter Davidson & Route Orch 'Free & Easy' (M-G).

Quipping he's present not for personal appearance with 'Sunny,' in an attempt to handle the burlesks in a Hollywood preem with comedy...

Girls appear only once, opening in with a parol routine to make for Chester Dolphin, mild balancing juggler, Don Brothers and Mary, collegiate trio and Faye and Wellington, smoothie dance team.

Comic Don Zelazny, with piano and piano, is spotted just ahead of Tom Lane, who is using a picture chart to illustrate musical tones...

HIPP, BALFO

Baltimore, June 1. W.B.C. Radio Rodeo with Tom Horan and Greg Young. The Horans, Powers, Singing Models, W.B.C. Radio Rodeo...

With Sophie Tucker topping the show, Ophemus this week comes the closest it has in years to the oldtime radio show...

Most of her material is brand new material. The show's radio program will pay the customers at it up was unmistakable evidence that Soph has been here to stay...

OSPELUM, L. A.

Los Angeles, May 28. Sophie Tucker, May Morris, Horro, Costello and Mjho, Gene Sheldon, Art Albee, Kings, Barney Grant, Jimmy Alexander, Fred McCoy, Lyons Orch, 'Knockout' (WB).

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GOLDEN GATE, S. F.

San Francisco, May 28. Ray Bolger, Bob Carlin, Don Chase, Charlie, House Orch (13). Dan Kelly, Fred Lowrey, Bertie Pierce, Bertie...

Proof that films have never yet utilized full abilities for a full-fledged vaude star down his way to

EARLE, PHILLY

Philadelphia, May 30. (U.P.)—The new Lesbo... Earle, Philly... Philadelphia, May 30. (U.P.)—The new Lesbo...

It's a 50-50 bill at the Earle this season... Earle, Philly... Philadelphia, May 30. (U.P.)—The new Lesbo...

In addition to enacting the stage show lately, Vincent proves he has an excellent voice as well as a rib-ticking delivery... Earle, Philly... Philadelphia, May 30. (U.P.)—The new Lesbo...

Joe Trojans are a topnotch tumbling team who perform bewildering feats... Earle, Philly... Philadelphia, May 30. (U.P.)—The new Lesbo...

Ciro Rimaac's band brings open the party with a series of Latin American tunes... Earle, Philly... Philadelphia, May 30. (U.P.)—The new Lesbo...

EMBASSY, N. Y.

(NEWSREELS)

Tempo, sound and depth of America's weakening to the evil spread of the Nazi hooch is impressively reflected in this week's newspaper article... Embassy, N.Y. (Newsreels)

President Roosevelt's speech in his annual message to the Congress... Embassy, N.Y. (Newsreels)

The destruction of the Bismarck and Hood are interestingly treated... Embassy, N.Y. (Newsreels)

The Embassy's latest commentator is... Embassy, N.Y. (Newsreels)

doom, McCarty shouts that America... 20th Century, Buff... Buffalo, May 30. (U.P.)—The new Lesbo...

Under the tag of 'Laff America'... 20th Century, Buff... Buffalo, May 30. (U.P.)—The new Lesbo...

Aside from this show, the show is delightfully... 20th Century, Buff... Buffalo, May 30. (U.P.)—The new Lesbo...

EARLE, WASH.

Washington, June 2.

Golden Gate Quartet, from radio and... Earle, Wash. (Washington, June 2)

Another compact, fast-moving show... Earle, Wash. (Washington, June 2)

EMBASSY, FRISCO

San Francisco, May 30.

The La Fons (2), Frank Cook, Arnold and Appell, Cliff Richards... Embassy, Frisco (San Francisco, May 30)

Comic note is provided by Lynn... Embassy, Frisco (San Francisco, May 30)

Doug, Jr.

(Continued from page 3)

public at large and U. S. officials in particular... Doug, Jr. (Continued from page 3)

Frank Cook next with guitar and... Doug, Jr. (Continued from page 3)

20TH CENTURY, BUFF

Buffalo, May 30. (U.P.)—The new Lesbo... 20th Century, Buff... Buffalo, May 30. (U.P.)—The new Lesbo...

Under the tag of 'Laff America'... 20th Century, Buff... Buffalo, May 30. (U.P.)—The new Lesbo...

Aside from this show, the show is delightfully... 20th Century, Buff... Buffalo, May 30. (U.P.)—The new Lesbo...

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Frank Cook next with guitar and... Doug, Jr. (Continued from page 3)

Embassy, Frisco (San Francisco, May 30)

Scandals Cavalcade

(STATE, HARTFORD)

Hartford, June 1. (U.P.)—The new Lesbo... Scandals Cavalcade (State, Hartford)

This new George White 'Scandals' unit... Scandals Cavalcade (State, Hartford)

Aside from this show, the show is delightfully... Scandals Cavalcade (State, Hartford)

Manhattan Scandals

(BROADWAY, CHARLOTTE, N. C.)

Charlotte, N. C., May 30. (U.P.)—The new Lesbo... Manhattan Scandals (Broadway, Charlotte, N.C.)

It took about two minutes to get the curtain up... Manhattan Scandals (Broadway, Charlotte, N.C.)

JACKIE MILES Comedy

28th Street, N. Y.

Jackie Miles apparently has been... Jackie Miles Comedy (28th Street, N.Y.)

Norman Young Singing

Baltimore

Local youngster spotted on... Norman Young Singing (Baltimore)

Stout Mystery Act

Baltimore

Stout Mystery Act... Stout Mystery Act (Baltimore)

Unit Reviews

(STATE, HARTFORD)

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This new George White 'Scandals' unit... Unit Reviews (State, Hartford)

Aside from this show, the show is delightfully... Unit Reviews (State, Hartford)

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Norman Young Singing

Baltimore

Local youngster spotted on... Norman Young Singing (Baltimore)

WB's Buy of Plays for \$516,500
Topped Hollywood's B'way Invasion

Warner Bros was the heaviest buyer of the 1940 crop of plays both from point of number and amount paid. It picked off five new Broadway shows at \$180,000. The other legiters at \$180,000. Paramount was runner-up in amount spent for this season's purchases, \$175,000, for which it got three plays. Heavy coin for 'Lacy in the Dark' (\$285,000) and 'Missiuna Purchase' (\$200,000) shot the Par figure over Columbia, although the latter bought one more play. Col spent \$184,000, plus a percentage on one property, for four shows. Weightiest sum was \$225,000 for 'My Sister Ellen'.

Twentieth-Fox was No. 4 in the parade for legiters in coin spent, buying \$130,000 for four properties, for only two shows. They were 'Tobacco Road' (\$200,000 plus percentage) and 'Charley's Aunt' (\$110,000). Latter was a peculiar buy inasmuch as it is about 50 years old. It has been made over in Hollywood twice before. It was the only revival of the season to be bought for flat.

Mr. G's \$225,000 line was Metro, who handed out \$200,000 for three shows. Two of them were musicals produced by B. G. DesViva, now top agent for the Par. They were 'DunBarry was a Lady' (\$80,000) and 'Panama Hattie' (\$120,000). Metro also bought \$100,000 for two oldies and pulled out of the files It gave \$100,000 for 'Bittersweet', a 1929 entry, and \$100,000 for 'Ted Hot and Blue' of 1938 vintage, both of them musicals.

Universal is represented with only one buy and that through one of its indie producers, Jules Levay. Letter spent \$100,000 plus 40% of gross for 'Hellzapoppin', although that load of napper included the services of Oscar and Johanna. David O. Selznick held up the United Artists standard with 'Claudia', for which he gave \$127,500. RKO, which got its fingers burned in setting itself up among the leaders of Broadway play buying in the last years, sat back and watched the parade pass by this season. It was the only major to have bought nothing, although one of its indies, William Dietele, bought 'Devil and Daniel Webster', an operetta which had a short Broadway stay in 1939, for \$60,000.

Two independent Republic also delved into the storage bin for its two buys, 'Koket Boy', for which it gave \$190,000 (it accounted for 'The Cow and 'Six Hopkins', \$23,500 also announced as having been bought at \$100,000. Par. WFLA has bought 'The Night Before' which had already been bought an oldie. Par's was 'The God Fellow', a George S. Kaufman-herman J. Manckiewicz week-end of 1926. Studio paid \$100,000 for it as a cheap hope vehicle. Par took the 'People of our Author' Irwin Shaw's hands for \$8,000. It made its Broadway debut in 1929. Fox's buy was also a 1939 entry, 'Margin for Error', Claude Booth's anti-Nazi play, for which studio gave \$200,000 plus 25%.

Two London productions were also bought for films. They were 'The People of our Author' and 'The British play, for which Fox gave \$25,000, and 'Accidents Don't Happen', bought by Par. WFLA also acquired one play, 'Four Cheers for Mother', after its troynt in a long London straggle. Par bought it without its ever coming to Manhattan. Price was \$10,000.

New, but in line into more general vogue, as can be noted from figures above, was the type of deal in which the legit bought a large percentage of the film's gross after production costs are out. There were four such buys for \$200,000. They were 'Pal Joey', 'Tobacco Road', 'Hellzapoppin' and 'Arsenic and Old Lace'. The latter is the first one of the quartet so far to be produced, 'Tobacco Road', makes the involved percentage schedule parity with the others. It profits at least 10% on gross up to \$1,000,000.

The top hit which Hollywood had stepped is Lillian Hellman's 'Watch on the Rhine'. No studio wants to take any chance on this season's affairs—on which the play hinges—by the time it can be released in 1942. Also, war pic have not been doing big.

Other successes or moderate success have taken up the slack. They are 'Mr. and Mrs. North' (which Metro bought) but didn't do any better until the Richard and Francis Lockridge legitler has played there.

Brokers' Suit vs. N.Y. Officials on 75c Law
Goes to Trial June 16

Hearing of the suit by the New York ticket brokers to restrain city action was held at the Federal Courthouse. Mitchell-Coudert law was drafted for (200), when it was definitely set for trial June 16. Another case was aimed of the ticket matter and the corporation counsel, defending case Commissioner Paul Moss and Police Commissioner Lewis J. Valentine, asked postponement until the case involving allegedly Communist-connected legiters should be decided.

William C. Hyman, attorney for the ticket agency people, plainly intimated that the city has repeatedly postponed the matter. He says that the case was not tried within a reasonable time half the brokers might be out of business. He also expressed the opinion that the law was inspired by certain managerial interests, including the referred to the Shuberts, and not the League of New York Theatres, which favors the statute. He said that the law would affect all legiters, whether the ticket code. Both the law and code place a maximum premium of 75c on tickets, but while the code applies only to legit theaters, the law covers all places of admission.

Ticket matter, Hyman also says that Equity, which was called into the case by the defendants, had no position on the matter. He also says that the idea that it is legal to limit the price of tickets, it is reasonable to limit the price of seats. He also says that for actors' salaries would be just as logical.

Hyman stated that Assemblyman Mitchell, who introduced the bill, but did not write it himself, understood to be merely concerned with theaters and not sporting and other events. Brokers claim it is unfair solely for the premium on high-priced sports tickets, which is not a new thing, and this is supposedly the principal object of the suit.

Open Conn. Strawhat

New Milford, Conn., June 3. With Ruth Weston officiating as mistress of ceremonies, the New Theatre-in-the-Dale here was dedicated at ribbon-cutting exercises yesterday afternoon. The new theatre consists of several buildings, including Prince and Princess Salem Sleski and a host of other social agencies.

New Summer playhouse, representing an outlay of \$40,000, will be operated by Louis Townsend, with Eridon Faussat as director. Eleven-week season is planned, with 'Male Animal' as curtain-raiser on June 21. Two long-run Broadway attractions which Hollywood has passed over are 'Johnny Belinda', now in its 62nd week, and 'Soyuzdetfilm's' 'Belinda's' aud, largely because its principal female character is a mute, who speaks despite it. It was stated that a year was roundly planned by the year when it opened and expired, but it has now been extended, and also has some tough sex angles.

On the other hand, two definitive plays have been bought. 'Calibdoglia. They were 'Every Man for Himself', for which Col gave \$4,000 after a certain time, and 'The Gentle People' (Paramount-backed), which was kept open just long enough for WB to buy it.

A Hollywood buy which is all but closed is Al Johnson's 'Hold On To It', but it has not yet been placed in operation on it film for his Universal release. Holding up the sale of the film is the fact that it is on the road next season. He wants Levay to agree not to exhibit the film, but didn't get the deal until the legitler has played there.

Civic Opera's 4 Wks. In L.A., S.F. Grossing 200G

Los Angeles, June 3. Starting with 'The Merry Widow', Los Angeles Civic Opera Assn. got away to a good opening and may pile up a record of more than \$200,000 gross over four weeks here and San Francisco. For the first time, according to Edward Leventhal, general manager, Civic Opera is likely to finish the season out of the red.

MGRS, AUTHORS IN AGREEMENT

With all points at issue virtually cleared up, the confabs between the managers and authors have terminated. Although it is possible that an additional session may be called, a working arrangement has been agreed on whereby the changes made will apply to plays contracted for by producers from now on. Suggestions for more conditions were boiled down to eight points. Only two, which were the last to be displayed, are being discussed by attorneys for both sides.

All contracts entered into by managers and authors will carry a rider to the effect that the deals are to be retroactive as of late May, when the amended basic agreement cannot be formally ratified by the Dramatists Guild membership until autumn. As indicated at the several conferences, the changes were amicably adopted and the hostility aroused when the managers went into court has apparently evaporated.

One authors' concession was to extend the time limit within which the producer will share in film rights. Currently, if a play is not sold for pictures within 10 years, the authors do not share in the proceeds thereafter. From now on he is to share for a longer period, but his percentage is to decrease in proportion to the number of years the rights remain unsold.

Another concession asked by the managers was to scratch the rule requiring all foreign authors to be members of the Guild. Leventhal has revised the clause to read that one play from a foreign non-member may be produced each year. The rule formerly applied to British writers only, but understood that all well-known authors are already members of the Guild.

W. & L.'s New Spot

Hartford, June 3. Encouraged by a trial-balloon showing of the road company of 'Tobacco Road' early this month, Leventhal and Leventhal have leased the Capitol, in New Britain, from Warner Bros. for scheduled 10 weeks of summer stock.

First to hit the boards is 'George Washington Slept Here', starting a one-week stand on Monday (2). Plans call for one-week shows at 1250 top. House capacity is 1,400.

Hoyle's Plays
Hartford, June 3. Attempt to stage 'legit' at Hoyle's War Memorial Building topped after a week's run of 'The Little Foxes' with creative Warren in the lead role (May 28-31). Critics panned the show, but raves called for a hit stand. Attendance during the week's run was never good and for several performances dropped to 50 to 70. W. & L. Leventhal, who brought the company here, has planned to present 'George Washington Slept Here' this week, but lack of audiences forced the early resignation of the show. 'White Cargo', with Ann Corio, had been scheduled for a third week.

Jessie Landis Recuping

Rose Royce Landis, who has been ill for the past month, is reported definitely on the mend. Since leaving the hospital on Tuesday, she was operated upon four times. Actress will probably be discharged soon after the incident, two weeks.

Plays Bought for Films, 1940-41

		WARNER BROS.	
'Arsenic and Old Lace'...	\$175,000*		
(*Plus 40% of gross over \$100,000)			
'The Corn Is Green'...	135,000		
'George Washington Slept Here'...	82,500		
'An Acquaintance'...	42,500		
'Night Before Christmas'...	30,000		
'Four Cheers for Mother'...	10,000		
(Produced in 1928; summer theatre troupe; never reached Broadway.)			
'The Gentle People'...	8,000		
(Produced in 1938.)			
		FARAMOUNT	\$516,500
'Lady in the Dark'...	\$285,000		
'Acquaintance' Purchased...	210,000		
'Out of the Frying Pan'...	40,000		
'The God Fellow'...	10,000		
(Produced in 1926; written by George S. Kaufman and Herman J. Manckiewicz.)			
'Accidents Don't Happen'...	7,500		
(Produced in London.)			
			492,500
		20TH CENTURY-FOX	\$200,000*
'Tobacco Road'...	\$200,000*		
(*Plus percentage; 10% on gross to \$100,000; 12 1/2% on next \$500,000; 15% on next \$500,000; 17 1/2% on next \$500,000, and 20% on all over \$2,500,000.)			
'Charley's Aunt'...	110,000		
(Originally produced originally in 1922.)			
'The Night Before Christmas'...	25,000		
(Produced in London.)			
'Margin for Error'...	20,000		
(Produced in 1938-40 season.)			
			355,000
		COLUMBIA	\$225,000
'My Sister Ellen'...	\$225,000		
'Pal Joey'...	15,000*		
(*Plus percentage, the total deal, including services of author John O'Hara and producer George S. Abbott, totaling about \$300,000.)			
'Ladies in Retirement'...	40,000		
(Independently bought by Lester Cowart for Colbie release.)			
'Every Man for Himself'...	4,000		
			344,000
		METRO	\$130,000
'Panama Hattie'...	\$130,000		
'DunBarry was a Lady'...	80,000		
'West the People'...	50,000		
'Bittersweet'...	20,000		
(Produced in 1928.)			
'A Woman's Face'...	20,000		
(French play from which Swedish picture was made.)			
'Hot and Blue'...	15,000		
(Produced in 1936.)			
			310,000
		UNIVERSAL	\$200,000*
'Hellzapoppin'...	\$200,000*		
(*Plus 40% of gross, but including Olsen and Johnson's services, independently bought by Jules Levay for U release.)			
			200,000
		UNITED ARTISTS	\$137,500
'Claudia'...	\$137,500		
(Independently bought by David O. Selznick for UA release.)			
			137,500
		REPUBLIC	\$5,000
'Yokel Boy'...	\$5,000		
(Produced in 1939-40.)			
'Six Hopkins'...	25,000		
(Produced in 1938.)			
			7,500
		RKO-RADIO	\$8,000
'Devil and Daniel Webster'...	\$8,000		
(Produced as an operetta in 1939. Independently bought by William Dietele for RKO release.)			
			8,000
		TOTAL	\$3,269,000

JENNY DOLLY, OF FAMED SISTER TEAM, SUICIDES

Jenny (Yancy) Dolly, 48, of the one-time dance duo the Dolly Sisters, was found dead in her Beverly Hills home Sunday (1). She had formed a noose from drapes and hanged herself after calling Mrs. 'Sis' Hopkins on the telephone to say she was feeling ill.

She was married to Bernard W. Vinisky, a Chicago attorney, and lived on the Coast for a year. They had two daughters adopted from a Hungarian orphanage. Her first husband was Harry Fox, formerly a vaudeville singer, who subsequently married the daughter of Jack Curtis, the agent.

The marriage with Vinisky was said to have been an unhappy one.

Miss Dolly, who was around 48, was seriously injured in a motor car accident while in France about 1927. She spent a long time in hospitals and required a number of plastic operations. It is believed her recent indisposition dates back to that time.

The Dollys were prominent along the Riviera at the time and later at the Coast for a while. They were prominent also at Cannes, while her twin sister, Jessie (Roszkis) may have also participated in the accident.

Miss Dolly was just as successful when appearing in the 'Follies' as when she frequently appeared in vaudeville in 1926. They made up the legit almost at once after their first vaudeville single, who subsequently married the daughter of Jack Curtis, the agent.

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made up of gifts and purchases. She went broke after the French studio bought her \$700,000 worth of jewelry, but didn't tell her she was broke. Her husband was a successful business man who was brought from London.

She formerly married to Jean Schuster, a pop song writer, was also visiting on the Coast when her sister was found dead. She is wed to a Charles, a department store man. Irving Netcher, formerly the husband of Constance Valentine, dancer from 'Follies', was also featured in successive musicals.

They were in 'Follies' in 1926. Among their top grosses, too, were in 'The Show Boat', 'The Great Show Boat', and 'The Show Boat'. They were in 'The Show Boat' in 1926, and in 'The Show Boat' in 1926, and in 'The Show Boat' in 1926.

The striking brunette twins were familiar figures in Broadway night life. They were frequently in the 'Follies' in 1926. They were in 'The Show Boat' in 1926, and in 'The Show Boat' in 1926, and in 'The Show Boat' in 1926.

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LEGITIMATE

Asks Dies to Probe Equity Reds

Equity's president, Bert Lytell, last week received a telegram from Congressman William P. Lamberton, who charged that half a dozen in Equity's council are Reds or follow a similar arrangement as to date so that the charges could be investigated by the Dies Committee. Equity attempted to bring about such an investigation, but never obtained more than two lukewarm answers from Lytell.

Lytell immediately answered, asking that charges of subversiveness within Equity be cleared up as quickly as possible. He expressed the hope, however, that liberal-minded members would not be smeared. The effort was made to set the hearing prior to Friday (6), when Equity's annual election is set, but it was believed there was not enough time to secure the desired action.

Hits and Flops of 1940-41

'Arsenic and Old Lace'
'Boys and Girls Together'
'Claudia'
'Hold On to Your Hats'
'It Happens on 34th'
'Lady in the Dais'

HITS

'My Sister Ellen'
'Old Acquaintance'
'Pal Joey'
'Panama Hattie'
'The Corn Is Green'
'Watch on the Rhine'

MODERATES

'Native Son'
'Mr. and Mrs. North'

FAILURES

'All in Fun'
'Beautiful People'
'Beverly Hills'
'Bowling for Doolittle'
'Brook's Daughter'
'Brooklyn Bizarrit'
'Cry Ship to Heaven'
'Five Alarm Wally'
'Fledgling'
'Flight to the West'
'Flying Gerards'
'Gabrielle'
'Glamour Preferred'
'Johnny Bevel'
'Johnny Fingers'
'Johnny to Jerusalem'
'Jupiter Laughs'
'Lady Who Came to Stay'
'Ladies Who Lunch'
'Crazy With the Heat'
'Cream in the Well'
'Cry in Passion'
'Delicate Story'

'Eight O'Clock Tuesday'
'Everman for Himself'
'Meet the People'
'Mum's the Word'
'My Fair Ladies'
'Night Before Christmas'
'Night of Love'
'Out of the Frying Pan'
'Papa'
'Quiet Please'
'Retreat to Pleasure'
'Return Engagement'
'Romantic Mr. Dickson'
'Suzanna and the Elders'
'Talley Method'
'Thank You, Star'
'The Happy Days'
'The Old Foolishness'
'The Show Must Go On'
'This of Thee'
'Walk With Music'
'Your Loving Son'

REVIVALS

'Kind Lady'
'The Gondoliers'
'Twelfth Night'

EXPERIMENTAL

'Steps Leading Up'
'The Trojan Women'
'Louisiana Purchase'
'Separate Rooms'

'No for an Answer'
'Not in Our Stars'

SHOWS FROM FORMER SEASONS STILL RUNNING

'Hellzapoppin'
'Ship With Father'
'Man Who Came to Dinner'

CORNELL'S 1ST JIT MAT FOR JUVES NETS \$5

First jitney matinee on Broadway for school students was given at Shubert Friday (30), when Katharine Cornell appeared in "The Doctor's Dilemma." It was the starter of a series of virtual grath performances designed to interest juveniles in the theatre. During an intermission, when the youngsters were asked how they had never seen a play, 75% of those present raised their hands.

House is one of the larger legnds and at 3c each the kids paid a total of slightly more than \$70. Actors, stagehands and musicians worked for free and no royalty went to G. B. Shaw, so that expenses were costs 1/10 only. Paid for the performance were doormen, porters and ushers, while the house received the light cost, fee for the cooling plant and tickets. Total expense was slightly more than \$85. The money goes to school authorities who are in charge of distribution of the tickets. There was some expense for that end, mostly in postage.

Miss Cornell said she was thrilled at the kids' audience reaction, jaws seeming to set the author's name as quickly as regular audiences. It was the second special Friday afternoon for the Show play, given the week previously in aid of the Stage Relief Fund. Play is in its third weeks. Next special performance for the kids has not been announced.

M-G PACTS DICK QUINE OF 'ELLEN' COMPANY

Richard Quine of 'My Sister Ellen,' was inked to a standard term pact by Metro on Monday (2), following a season last made an Atlantic company's eastern talent scout. Quine leaves the cast of the Broadway letter, but still there are a number of indications that 'Hollywood will figure to a greater extent' in the picture heads have not worked out an agreement satisfactory to both sides. There were a number of indications that 'Hollywood will figure to a greater extent' in the picture heads have not worked out an agreement satisfactory to both sides. There were a number of indications that 'Hollywood will figure to a greater extent' in the picture heads have not worked out an agreement satisfactory to both sides.

Cincy Opera's Additions

Elsa Zebranska and Kerstin Thorborg, contraltos, Bidu Sayo, soprano, and William Hall, tenor, have been added to the roster of the Cincinnati Opera Co. All except the last are members of the Met.

York state that actually \$15,000 in cash has been raised toward the six-week season making up the \$100,000 reported in VARIETY last week will be forthcoming once the season is under way. This additional money will come from the sale of tickets and the estimate is based on previous sales over a score of seasons.

62 PRODUCTIONS, 140-41

Season Started Slow Productively and Wound Up 12 Shows Less Than Last Year—'B'way Actually Better Than It Looks—22 Shows Never Reached New York Boards

SCRIPT SHORTAGE

By JACK FULASKI

Season of 1940-41, as indicated in theatrical contracts ended Saturday (31) was one of the slowest to get started and the lowest productively since Times Square became the center of show business. There were 62 productions presented on Broadway. However, had a reasonable number of shows arrived, which stopped out of town, the number of productions would have topped 90-40.

General impression was that, while fewer shows reached Broadway, the number of successes was high, but the figures prove otherwise. Season just over saw 16 hits in all. Number of distinct hits was 12, while the count of moderate successes was four. Last season there were 23 clicks, which, when broken down, included 14 standouts and nine intermediates. The percentage of successes in 1939-40 was exceptionally high, while the deficit in the number of hits was the normal percentage; that is one hit out of slightly less than four productions.

Expectations of increased production have not borne up in recent seasons, managers blame it on a paucity of material, rather than financing. However, next season there should be a big jump in the number of shows presented, unless war conditions interfere, based on reports of plays already contracted for and this time more than 40 new scripts have been accepted, which means that 40% of the past season's total is virtually assured reaching the boards.

Little 'Hollywood' Backing

Failure of Hollywood to participate in Broadway backing to an appreciable extent is a factor in the current slump in production. There are people are potentially as much interested in scripts with film possibilities as those which may draw heavy stage grosses, so that a Hollywood more active in bankrolling would be a most practical solution. The authors and the picture heads have not worked out an agreement satisfactory to both sides.

Coast's demand for play material jumped, as shown by the deals for film rights which Hollywood has approximately \$2,389,000 in '40-41. Last year the total was around \$1,900,000. The picture heads have not worked out an agreement satisfactory to both sides. There were a number of indications that 'Hollywood will figure to a greater extent' in the picture heads have not worked out an agreement satisfactory to both sides.

Largest amount paid went for 'Lady in the Dark' (Alvin), which ran for \$285,000. Last year the total for the top film sale

(Continued on page 52)

Equity Indies Ask Council Reprimand Of Flo Reed for 'Illegal' Campaigning

New 'B'way' in Stock

'Broadway, 1941,' which was out of date, which was brought up by N. Y. presentation during the winter, has been released for summer stock showings and around half a dozen spots will use the play, with other probably placing it on their schedules. The new 'Broadway' may play as close to town as Brighton Beach. The Phil Dunning-George Abbott melodrama was presented by Ted Harris in 1938, the play lifted by the manager among the well known. After earning a fortune as a stage show, film rights of Broadway brought nearly \$250,000.

Rank and file of Equity are in action and the fight between the regulars and those on the independent ticket is getting hotter and hotter. The object of the campaigning being done by the opposition faction. Amid the controversy, the Equity magazine, by William P. Lamberton, Kansas congressman last summer, were made a focal point and it is now likely that alleged radicals will soon get a chance to substantiate their denial of Communist leanings.

Only known campaigning through the mails by regular candidate supporters was a reprint of the letter from Lamberton to Florence Reed. It was sent to the membership in envelopes printed with Miss Reed's name as chairman of Equity's nominating committee. A delegation representing the independent ticket called upon the council, arguing that it was improper for Miss Reed to use the chairman's status in such manner. Council was asked to rebook her and it is understood that charges will be filed against the actress. Those supporting the regulars took the viewpoint that if Miss Reed is elected, it will be merely technical.

'B'WAY DEARTH PROGRESSIVE

How the lagit season slowed up it shown by the death of premieres on Broadway through August. In February, when eight new productions entranced, the drop was progressive. During March, five shows came in. In April there were five; May saw one revival, and June also has had a solo debut. Within the period of mid-February there were a dozen entrants, out of which there was one click—'Watch on the Rhine.' Book, which got the straight plays—and one moderate success—'Native Son.' St. James, Spring Street in the musical area, there the recent tryouts been brought to town.

During summer Broadway must depend on the holdovers, nothing new being due until the late summer or early fall. There are 18 shows on the list of which six are musicals. Of that division at least one will succeed—'Lady in the Dark.' Alvin, Plymouth in the musical area, there will depend on 'Panama Hattie,' 'Pal Joey,' 'Hellzapoppin,' and 'Louisiana Purchase.' 'It Happens on 34th,' center, in doubtful.

How many straight plays will survive is indefinite, but the leading candidates are 'Watch on the Rhine,' 'Arsenic and Old Lace,' Fulton, 'Lily With Father,' 'Empire,' 'My Sister Ellen,' 'Biltmore,' 'The Corn is Green,' National, 'Claudia,' 'Booth,' and 'Native Son.' This indicates a summer list of 12 shows, with other possibilities. 'The Man Who Came to Dinner,' Musical Box, and 'Separate Rooms,' Plymouth. An added closing last Saturday (31) was 'The Happy Days,' Miller. 'Lady in the Dark,' suspends at the Alvin after another week while 'The Doctor's Dilemma' goes off June 21 at the Shubert.

Interest now turns to the summer stock spots and the tryouts there, even though the number of 'Broadway' shows is not as large as last season. Most important showing this week will be 'New Orleans,' an original opening in the summer. The 'Broadway Municipal Opera' Co.

Holtz's Own Show

Pittsburgh, June 3. Lou Holtz will return to Broadway next season in a new musical under Shubert banner, he said here last week before leaving for Chicago. Ideas for shows and plays will be developed by himself and a couple of writers still to be picked. Compositors will be engaged by Holtz.

'It'll be the first Broadway production for the popper and the first since 'You Said It' almost 10 years ago.

Charles Washburn, p.a. for the Chicago company of 'Arsenic and Old Lace' (Alvin), which ran for \$285,000, is expected on a semi-autobiographical novel.

Indies Endorse Two 'Regulars'
At a meeting of indie supporters held last week, the indie list was announced that Margaret Webster and E. John Kennedy, of the regular ticket, had been endorsed along with the eight opposition nominees (11 councillors are to be elected, one a replacement). In a bulletin headed 'Inquirer,' sent out by the indie, it was asked: 'Do you know that the indie list has been endorsed? We promise to print Alan Hewitt's defense in the Congressional Record?' The indie list has been endorsed by the council whom the nominators declined to put on the regular ticket because they had been named by Lamberton. Hewitt told of his efforts to clear himself at the meeting and said he had been talking over with the internal affairs of Equity.

Several additional stage well-knowns were named as supporters of the indie ticket, including George Abbott, who is a manager but also a life member of Equity. Messages from them were printed in the bulletin, with general criticism of the attitude taken by the nominating committee. Another open meeting of indie people was held at the Edison hotel last night (Tuesday) after show break.

Mare Lamberton Charges
The Lamberton ticket, alleged to have been solicited from him by Miss Reed, who is an Equity vice-president, has been charged with charges that were not revealed before. Wrote the Kansas: 'A general check of the names published in Equity's magazine as supporters of Mr. Hewitt, reveal that a number of names are records as sympathizers and supporters of the Communist party.'

Equity's magazine is participating with Reds when he was connected with the Federal Theatre project in Chicago. He was charged the relief theatre back, the indie says there is no more chance than the 'Broadway Municipal Opera' Co.

Congressman's letter also said that the nominating committee, in not naming the indie list, was in violation of his opinion, to enforce Equity's bylaws. 'No member of Equity shall be elected or appointed by or sympathizer with the Communist party.' He also said that nothing has come to his attention since the election of the indie list, and he is not likely to be charged against half a dozen members of the council. 'I am not a member of Equity as to whether Mr. Hewitt is a writer rather than knowing tool of the party, and I am not likely to be charged by his position in this election.'

Elizabeth McFadden, author of 'Double Door' and other plays, has been charged with a similar charge that she is seeking a summer theatre troupe.

Lunts, Heppner Open Straight Plays

On Road in '40-41; 'Hellz' Best of All; Eastern Biz Was Particularly Good

A final survey of the 1940-11 season reveals that legitimate business on the part of the road has been comparatively excellent. It was not surprising when the Lunts, trouping their best season in "There Shall Be Night," scored the highest straight play grosses of the year. Heppner in "The Philadelphia Story" a close second, and Father Brown in "The Student Prince" a close third. With Eddie Garr and Billie Holiday, harvested the big figures. "The Student Prince" Olsen and Johnson, of the original "Hellz," were the most puzzling of all, for they didn't think it possible.

"Night" is the Robert E. Sherwood drama that was accorded the Pulitzer prize a year after it opened. It scored sensationally on Broadway, despite the difference of opinion over the text, the anti-Nazi drama lifting the stature of the stage actors and had a general run that is reflected in the support "Night" was given throughout the country, its success being considered a tribute to superlative acting.

"Hellz" is a rough and tumble laugh which filled the mind of musicals in many stands. There certainly was a wide gap in type between the two and "Hellz" was a general success. It Broadway, too, which still supports comedy, but until the road commotion was over in Chicago, the original was being topped grossing as much as 70% by the other outfit, such as \$20,000. Du Barry Was A Lady was another rough musical that was well known in the keys, but which at the boxoffice it ran second to the touring "Hellz."

"Father Big"
Philadelphia Story was nearly on a par with "Night" in popular appeal, touring along the road, it was getting from \$20,000 to \$22,000 in some of the liveliest stands. The road, too, was consistent, in however, averaged \$2,000 weekly for nearly the entire tour. "Story" was awarded in Chicago for its original was being topped grossing as much as 70% by the other outfit, such as \$20,000. Du Barry Was A Lady was another rough musical that was well known in the keys, but which at the boxoffice it ran second to the touring "Hellz."

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While not strictly on tour, "Life With Father," with Helen Hayes and Maurice Evans, was well up with the top scoring straight "Harriet Stanton" in 1940-41 season was Gertrude Lawrence in "Slayback," which jumped to the top and turned the tide of the grosses before the star called it to appear in "Lady In The Dark" early in the winter. "Life With Father," last year's Pulitzer winner, had a route of 12 weeks booked, and covered the tour of 28 weeks and capped a goodly road profit.

"Foxes' Record No. 1-Niners"
Tour of "The Little Foxes," with Tallulah Bankhead, has been one of the show playing more one-nighters than any play in a stock company. There were at least one-night stands, plus engagements of two nights. Business was variable in some spots, but the bookings for most of the tour were around the high \$30,000 level, lifting up its record of reputation as an exceptional drama.

The Man Who Came To Dinner" was another crack show and in many stands drew more than one night of the week. "Life With Father" is still playing out of town, but the original is on Broadway at the Lyric. "Dinner" made a bad business record in Chicago. But a repeat date was a mistake, because it was being over-extended when the second date started.

The Male Animal" had its ups and

downs, but some of the winning weeks saw high grosses for a straight play. The tour was well equipped to coast, with some repeaters at the sixth, seventh or eighth visits. There were to be one in Chicago, two in excess. Grosses in Washington, Chicago, Detroit and Pittsburgh were high at \$20,000. Original has finally quit Broadway, but a road company goes out again in the fall.

There were few musicals on tour, which explains why such revived operettas as "Blossom Time," "The Student Prince" and "Rose Marie" did profitable business, especially in the smaller cities.

The season just ended proved again that the road is alive for the good things, even though there isn't

Why B. O. 20% Better This Season Than Last

Philadelphia, June 3.
One of the most successful leg seasons in recent years would appear to have been the current one. "Life With Father" and "Gay Divorce" Grosses were higher by 20% over last year, and the number of engagements showed an increase of six. It also marked the revival of the "Largest weekly gross was chalked up at Ford's by Helen Hayes and Maurice Evans in "Twelfth Night" with an actual count of \$23,000.

25 Shows Got \$315,000 In 25 Balto Weeks

Baltimore, June 3.
Season of leg just passed here hung up one of the biggest profits in the past year and a half. The start began because of lack of bookings. Leg net nevertheless took a resounding step midway in the year, setting a rosy pace thereafter without letup until its final curtain in mid-May. "Largest weekly gross was chalked up at Ford's by Helen Hayes and Maurice Evans in "Twelfth Night" with an actual count of \$23,000.

Pitt No Longer 1-Week Town; 22-Week Season

Pittsburgh, June 3.
Legit dipped some here this season, but not too much. Nixon got 23 weeks and total gross of around \$315,000, as against 25 weeks the year before and \$350,000. One thing which was different here was that Pittsburgh is no longer a one-week town. Big done by touring "Hellzopoplin" and "Man Who Came To Dinner; during fortnight engagements, knocked idea into cocked hat. Not only that, but "Dinner" came back late for a third week and didn't do bad at all.

"Hellz" drew better than \$62,000 in two weeks with "There Shall Be Night" at slightly better than \$23,000 the former. "Loves" was the second runner-up. Dan on his new engagement, \$2,500, which shocked everybody. It originally done \$10,500 here during height of season and was turning in \$3,000 a week now.

"Pins and Needles," which is third in the n.g. department were revivings of "Night" and "Dinner."

"Pins and Needles," which is third in the n.g. department were revivings of "Night" and "Dinner."

N. H. '40-41 Tons Last Year

New Haven, June 3.
Windup of legit season at state's end of the year. Shows were doing better in 1940-41 than a year ago.

Number of shows increased from 20 to 21 last year. Total gross in the formances increased from 73 to 104 in '41. Whereas last season had 20 shows, this year had 21. These being the Danie magic show and the Alexander Woolcott "Man and the Moon" of Eve. The season extended about three weeks beyond a year ago. Again, most

Wayburn at Stratnat

Ned Wayburn will be associated with Maryvrene Jones this summer in the direction of her Stratnat theatre, 416 W. N. Y. Besides having supervision of about 20 non- Equity "musicals," he will stage "straight comedy" (as yet unacted) and possibly an intimate review. The company will use gun-name policy this summer for the first time. Besides the regular nine-week season, a fall tour is planned.

CHS IN K. AUD. ENDS CAREER

Chicago, June 3.
On June 30 will shutter one of the most famous theatrical landmarks in the history of Chicago and of show business. Due to closing of the building are the Auditorium theatre and hotel.

There is no immediate plan for the demolition of these buildings, with the plan merely to shut down the area and redevelop it. There is a dispute as to the tax payment and the building. At the bottom of the decision to bolt the doors. The residence at 461 W. Madison hotel and building have received notices to vacate by June 30, the latter on the 10th centenary, and for years the home of the Chicago Opera Co., the Auditorium acknowledged one of the finest theatres in the world. Acoustically it is just about perfect, and its interior is a masterpiece and has one of the biggest stages in the world.

While primarily an opera and concert theatre, it has occasionally been used for big legitimate plays. It has played such items as "Midsummer Night's Dream," the Laurence Olivier-produced production of "Romeo and Juliet," "T. R. B. Night" and is strangely enough winding up its career with the current "Hellzoplin."

Chi Legit Slid After Holy Week, But the East Shows Rise Over 99-100

Chicago, June 3.
Business in the legitimate theatre in Chicago started out on a roll. And while there are plenty of albits that fit in after-the-fact, the story is that the "New York" is not only in its second week of its first fortnight engagement in town. Show returned to its four months of engagement and did fairly well. House had one really sad bloomer in "Night of Love," which, all the Shubert, pampering failed to rally.

Selwyn struggled pitifully throughout the season and had plenty of dark weeks. "The Harris got a break with "My Sister Elmer," which is still running and turning in a good profit for the house and show. Another winner at the Harris was "Ladies in Retirement," which sold out solidly in the second week of its first fortnight engagement in town. Show returned to its four months of engagement and did fairly well. House had one really sad bloomer in "Night of Love," which, all the Shubert, pampering failed to rally.

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B'way Musicals Season OK, But Too Many \$4.40 Shows Knocked Each Other Off; De Sylva's Success

Broadway's musical shows during the season just completed were generally successful. The most that earned back their production costs rather quickly, but the off-quoted from Broadway to how many high-scaled shows can profitably operate at the same time. The competition between musicals scaled at \$4.40 was proven too keen and several did not survive, even though they played out of the road.

Case in point was brought out by the arrival of "Panama Hattie" at the 40th Street musical which led the list until the newer "Lady in The Dark" came into the Alvin. As soon as "Hattie" opened at the Strand, the Shubert for "Hold on to Your Hat," and at Broadhurst, which had "Boys and Girls Together" dropped at the Alvin, and there was little doubt that their runs were curtailed because of the number of high-scaled musicals. All Jolson's winter illness was a factor in the closing of "Hattie," but not entirely so. Yet Wynn aimed to keep his "Boys" going through the season, but the gross dropped too low and he lowered the price to \$4.40 but that did not work out satisfactorily.

De Sylva Top Musical Producer
Without doubt Buddy De Sylva copped the laurels in musical show production. For a time he had three on Broadway at the same time— "Hattie," "Louisiana Purchase," and "The Great Gatsby." He had one which had moved from the 46th Street to the Rialto. That show did not drop entirely so. Yet Wynn aimed to keep his "Boys" going through the season, but the gross dropped too low and he lowered the price to \$4.40 but that did not work out satisfactorily.

De Sylva tied up in pictures now and there, and he has not published something of a modern miniature.

He scored a big profit on "Hattie" at the \$4.40 scale, and will tour in the eye-opening of Broadway. While the theatre, especially in the late 1920's, has a high scaled musical revue, that Broadway has had of late time there were \$5.50 and \$6.00 top musicals which cost much more to produce than the "day show" of the type. Some stayed for longer periods than "Purchase," but none have done as well in recent seasons.

"Hattie" earned back its cost of \$110,000 in 14 weeks, which was an eye-opening of Broadway. While the theatre, especially in the late 1920's, has a high scaled musical revue, that Broadway has had of late time there were \$5.50 and \$6.00 top musicals which cost much more to produce than the "day show" of the type. Some stayed for longer periods than "Purchase," but none have done as well in recent seasons.

DeSylva, former pop songwriter, returned to Broadway after a long stay on the Coast and produced three musical hits in succession, something of a record in itself, especially for one who had not been previously successful in show business with Paramount is therefore not undeterred on Broadway. He cleaned up \$200,000 over, but has not been interested in Hollywood went or was "Lured back to the Coast."

"Lady in The Dark" Heads "Hattie"
"Lady in The Dark" got off to "Hattie" gradually and is now the top musical on Broadway. It is the last musical that Broadway has had of late new season is at hand, but it is not likely to operate and will not get its production cost back until the fall. "Hellzoplin" is a holdover, a freak three musical hit in succession, something of a record in itself, especially for one who had not been previously successful in show business with Paramount is therefore not undeterred on Broadway. He cleaned up \$200,000 over, but has not been interested in Hollywood went or was "Lured back to the Coast."

Altogether on the debt side are four musicals, one of which has just reached New York. "All in Fun," taken off after three performances; "Crazy Under the Stars," which opened and reopened for 12 weeks; "Hi Ya Gentlemen," and "The God to Say You" four representing an investment of around \$500,000. Such a heavy industry, most of which show its outsiders, rarely, but few are equalled. It was chargeable to subscribers' refunds or a rate for "Arbitration," which led to its ninth week in the Grand.

Grand had a pretty good season with "The Small Beer" at the Shubert revival, "Blossom Time" and "Student Prince," and the current "Arbitration."

Best winning house in the Loop was the Erlanger, which came up with "The Harris" for the first time. Itably its top grosser in a long while, "Lady" was "Du Barry Was a Lady," which had run for four months of that regularly topped \$20,000 and more. House just finished four weeks of "twelfth Night," which fairly well.

Auditorium Closing

Auditorium for the street forever on June 30, is winding up its long career with "Hellzoplin." But that show is nowhere near what has been expected of it. Has been running around \$20,000 weekly, poor for a \$20 top show in a 4,000-seat house.

After 68 weeks the Blackstone-theatre is closing. For the street forever occupied by "Life With Father" and it was a lesson in show business from the angle of production. Show drew 600,000 people for a gross of around \$90,000 per week. It is the only show to run and take in this town. Harry Fordwood, pal, turned in a distinctive campaign throughout the run. He had the ads, and had met and photo service for papers in some five states surrounding the theatre. He had the incoming conventions, and had consistent tie-ups with schools, churches, and clubs.

DeWitt Strong

DeWitt Strong, June 2.
In Detroit, the drama season just past was better than last year. Grosses at the Casa, the sole legitler, tour.

Only 3 Roadshows Booked for Denver

Denver, June 3.
For the coming season only three roadshows have been booked for Denver, Colo., by the Denver Center for some time but looks to be about thorough.

The past winter business has been better than usual, and Oberfelder, local impresario. They are "Hellzoplin," Helen Hayes in "Irene," and Edgar Bergen. All will be staged in the municipal auditorium.

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Holiday Influx Matches Outgo, But B'way Still Slips Off; 'Rhine' \$3C, 'Corn,' \$12,000, 'Claudia,' \$11,000

Grosses dropped down further, last week, not only because of the seasonal decline on the eve of summer, but because of the Memorial Day weekend. Attendance Tuesday night (27) kept people at radio receiving set and evening draws were off on Memorial Day. Out-of-town audience over three-day Memorial Day weekend was continued by incoming visitors.

500 last week, which was okay, but more was expected due to the extra day of Memorial Day. "Native Son," St. James (10th week) (D-1,500; \$3.30). Off with the field, but drew exceptionally well the week and credited with \$10,500. "Fanny," Biltmore (23d week) (M-1,100; \$4.00). Was being under-stuffed by the first week, but still among the favored musicals and lasted through summer; around \$17,000.

Estimates for Last Week
Key-K (Comedy), D (Drama), R (Revue), M (Musical), F (Farce), O (Operetta).
"Panna Maria," 46th St. (31st week) (M-1,247; \$4.40). Like most other shows, Presidential speech attendance, however, management says it will gross around \$24,000.

"Separate Rooms," Plymouth (32nd week) (C-1,077; \$3.30). Like most other shows, Presidential speech attendance, however, management says it will gross around \$24,000.

"Claudia," Booth (16th week) (C-715; \$3.20). Holiday no accident business, with nightly takings average in four figures; last week was affected, as most others, but very good at more than \$11,000.

"The Doctor's Dilemma," Shubert (12th week) (C-1,402; \$3.30). Front-runner of the season. Colonial did not interrupt the "Pie" estimates for last week.

"Johnny Belinda," Longacre (7th week) (D-1,018; \$3.30). Has spanned the season and may hold for a time with increased use of two for, for around \$4,000.

"The Doctor's Dilemma," Shubert (12th week) (C-1,402; \$3.30). Front-runner of the season. Colonial did not interrupt the "Pie" estimates for last week.

"Lady in the Dark," Alvin (18th week) (D-1,275; \$4.40). One of the very best shows on Broadway last week and again topped \$31,500, but should be better than that for summer after another week.

"The Doctor's Dilemma," Shubert (12th week) (C-1,402; \$3.30). Front-runner of the season. Colonial did not interrupt the "Pie" estimates for last week.

"Life With Father," Empire (81st week) (C-500; \$3.00). Blatantly off at \$1,000 or slightly more, but approximated \$14,000 in ticket money for coming entering its second summer.

"The Doctor's Dilemma," Shubert (12th week) (C-1,402; \$3.30). Front-runner of the season. Colonial did not interrupt the "Pie" estimates for last week.

"Man Who Came to Dinner," Music Box (8th week) (C-1,100; \$3.30). Dipped down to about \$7,500, but should be better than that for summer; has dropped Sunday night performances.

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EDIE GARR

RE-STARTING IN RECORD BREAKING "HELL-A-POPPIN'" ON TOUR
Mgt: W. W. KENT 1776 B'way, New York

HARRIS and SYLVIA SHORE
WEEK ENDS 8 DOUBLES
LOEW'S STATE, NEW YORK
GEORGE WHITE'S SCANDALS
Management: W. W. KENT 1776 Broadway, New York

'PEOPLE,' 'DINNER' EACH FAIR \$13,000 IN BOSTON

Meet the People and Man Who Came to Dinner ran about even last week for fall tales at the tag-end of the season. This show only "People" remains.
Shubert broke its week ("People") Tuesday night (27) for the FDR speech and broadcast. From the stage, Colonial did not interrupt the "Pie" estimates for last week.

'Divorce,' N.G. \$7,000, Gets Only One. Philly Week

Philly's legit season wound up with a bang when "The Divorce" (31) The finale came during one of the worst weeks in show biz here, beaten down by a combo of hot weather and a batch of patriotic rallies and the long Memorial Day weekend.
Bernard Barst, stage manager of the show, did not take a record-smashing 13-week run at the Walnut Street Theatre in Philadelphia, but "Gay Divorce," at Forrest took it on the chin. The show, originally slated as a two-week engagement after seven days' take netted approximately \$7,000, n.e.

Hayes-Evans Look For \$17,000 in Maplewood

Record advance sales for "Twelfth Night," with Helen Hayes and Maurice Evans, which opened a week's engagement at Maplewood, N. J., Monday (2). Indicates that the gross will top \$17,000. Fabian house in the city, with technical aid of a summer stock theatre, but has that potential as a seat, has a record more than the average county theatre.

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MARIETTA' \$29,000 IN L.A.; 'PINS' POOR \$5,000

Los Angeles, June 3. Bit took an upward jump for the L. A. Civic Light Opera Assn. with its presentation at the Philharmonic auditorium last week of "Naughty Marietta," and the turntables clicked off a record \$29,000 for the production offering. The Chocolate Soldier, featuring John Charles Thomas and Ethel Waters in the title role, was a poor performer, with "Pins and Needles," ostensibly planned as a brief intermission offering, wound up (31) after two lean weeks. Equity on the main floor almost negligible, hitting under the \$5,000 mark. "The Chocolate Soldier" closed first week of the importation.

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'Inside Stuff' - Legit

When "Lady in the Dark" suspends for the summer at the Alvin, N. Y., June 15, the boxoffice will remain open throughout summer for the license sale from Sept. 1 on, Norman Pinchus, house manager, proposes limited hours for the b.o., window to be open from 11 a.m. until five in the afternoon.
However, the hours may be extended, as the treasurers union insists that two men be retained. Up to now the house has had three on the staff.
A number of former treasurers who are now house or company managers sought to join the union, in case boxoffice jobs were available when they were needed. But when they were ineligible, as the rules stipulate that applicants must have worked in box-offices within the past three years to qualify for membership.

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Helz' \$21,000, 'Arsenic' \$13,000, Eileen' \$10,000 in Fading Chicago

Joe E. Brown's 'Rita' Nice \$17,000 in Frisco

Chicago, June 3. Two shows went out last week and one comes in. "Accent on Youth" arrives in the Selwyn tonight (Tuesday) and should have some hot money at \$150 top.
Scrambling Town Saturday (31) "The Night" and "Cabin in the Sky" both had a goodly consideration at the wicket on their final nights.

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'Vinegar' 7G in Frisco

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St. Louis 23rd Many Opera Season Tees Off Friday

St. Louis, June 3. The 23rd season of a frisco enterprise in the Forest Park theatre, under the management of Frank Asm, gets under way Friday (5) with the prem of "New Orleans" (the premiere of "The Song of Hanmerstein, 2d musical conception; which will run 13 weeks). The authors have been looking for the past three weeks whipping the piece into shape. Muriel Angelus has the leading role. Other cast members include Barton, opposite here.

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Current Row Shows (June 4-14)

- "Accent on Youth"—Selwyn, Chicago (4-14).
- "Arsenic and Old Lace" (Erich von Stroheim, Alan Hume Crews)—Grand, Chicago (4-14).
- "Cabin in the Sky" (Ethel Waters)—Grand, Chicago (4-14).
- Philharmonic aud., Los Angeles (4-14).
- Charley's Aunt—Winslow, Bronx, N. Y. (4-14).
- Chocolate Soldier—Maplewood, N. J. (8-14).
- Chocolate Soldier (John Charles Thomas)—Maplewood, N. J. (8-14).
- George Washington Step Sisters—Camden, New Jersey (4-7-14).
- Aud., Worcester, Mass. (9-14).
- Philharmonic aud., Chicago (4-14).
- "Ladies in Retirement"—Fluoro (Reed)—Winslow, Bronx, N. Y. (10-15).
- "Man With Father" (Dorothy Gish)—Cass, Detroit (4-14).
- "Miss Helix" (Fox)—Worcester, Mass. (4-7); Capitol, New Britain, Conn. (4-7).
- "Man Who Came to Dinner" (Alexander Woolcott)—Colonial, Boston (4-14).
- "Meet the People"—Shubert, Boston (4-14).
- "Meet Mrs. North" (Peggy Conklin)—Flitbush, Brooklyn, N. Y. (10-15).
- "My Sister Ellen"—Harris, Chicago (4-14).
- "No Time for Comedy" (Francis Lederer)—Alcazar, San Francisco (12-14).
- "Out of the Frying Pan"—Flitbush, Brooklyn, N. Y. (10-15).
- "Twelfth Night" (Helen Hayes, Maurice Evans)—Maplewood, Maplewood, N. J. (8-14).
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Rockefeller interests and Arthur M. Wittz-Sonia Henie, who produced 'Happens on Ice' at the Center, Radio City, were mulling a new rink replete with the theatre, under the management of Norman Pinchus, proposes limited hours for the b.o., window to be open from 11 a.m. until five in the afternoon.

However, the hours may be extended, as the treasurers union insists that two men be retained. Up to now the house has had three on the staff. A number of former treasurers who are now house or company managers sought to join the union, in case boxoffice jobs were available when they were needed. But when they were ineligible, as the rules stipulate that applicants must have worked in box-offices within the past three years to qualify for membership.

With a controversy raging in the local press as to whether or not Minneapolis is a 'poor show town' and whether it will support steeply scaled entertainment properly, Cedric Adams, columnist, again erupted in the Star-Journal because of the lack of patronage for "Time of Your Life" at the Lyceum recently, declaring that this city and 'parts of the northwest' should have their collective 'bombs kicked'.

Whether theatrical units will invest in Defense Bonds as they did in World's Fair debentures has not been decided, but some may by later on. Equity on the main floor almost negligible, hitting under the \$5,000 mark. "The Chocolate Soldier" closed first week of the importation.

Worked like a good idea, that of giving full operettas at 59c top for the working class of Los Angeles, but, like most 'nobie enterprises,' it couldn't get on the bump. These leaders of Arthur's show tossed in \$20,000 to help along the enterprise, but the parents' (and other) support of the show was said to break even or better at the \$18,000 level. Dropped to \$14,000 last week.

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Elmer Rice is leaving town for the summer, but is in a quandary as to what to do about the theatre, under the management of Norman Pinchus, proposes limited hours for the b.o., window to be open from 11 a.m. until five in the afternoon.

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Lame Club lost two veteran members within a few days, but word of conduct, Frank McCormack passed away in Connecticut, with Mrs. F. Findlay expired at his summer home in Canada. It is usual for the many veterans who open up their eyes in the Coast of Albania, a land that has been gobbled up by the Fascists, Rice's jaunts abroad included all points of the continent and for a time he favored Russia as a work and play locale

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WE ARE VOTING THE REGULAR TICKET

— Because we believe it is for the best interests of Equity.

Jean Adair
 William Adams
 Betty Allen
 Frank Andrews
 Walter Armin
 Buford Armitage
 Edward Arnold
 Olga Baclanova
 Tallulah Bankhead
 Minette Barratt
 Leslie Barrie
 John Bertin
 Irene Bordoni
 Raymond Bramley
 Halbert Brown
 Russ Brown
 Edward Butler
 David Byrne
 Lyster Chambers
 George Christie
 Frank Coletti
 Peggy Conklin
 Donald Cook
 Katharine Cornell
 Frank Crumit
 Margaret Dale
 Don Davey
 Sean Dillon
 Alan Duebhart
 Harland Dixon
 Margaret Douglas
 Al Downing
 James Dunn
 J. Colville Dunn
 Leon Errol
 Glenda Farrell
 Edward Fielding
 Lew Fields
 Joe Carry
 Marjorie Gateson
 Grace George
 Jack Gilchrist

Margalo Gillmore
 Dorothy Gish
 Wesley Givens
 Porter Hall
 John F. Hamilton
 Virginia Hammond
 Robert Harrison
 Stanley Harrison
 A. J. Herbert
 Louis C. Hightower
 Fred Hillebrand
 Edwin Hodge
 Lionel Hogarth
 Taylor Holmes
 Edward Everett Horton
 Paul Huber
 Josephine Hull
 Lionel Ince
 Gordon Jones
 Nicholas Joy
 William J. Kelly
 Madge Kennedy
 Charles King
 Otto Kruger
 George Leach
 David A. Leonard
 John Litel
 William Lynn
 Jeanette MacDonald
 Thomas F. Macy
 Fania Marinoff
 Red Marshall
 Helen Menken
 Ethel Merman
 Robert Montgomery
 Neil Moore
 Percy Moore
 Victor Moore
 Ralph Morgan
 Victor Morley
 Mrs. Felix Morris
 Maurice J. Morris

Mildred Morris
 Florence Nash
 Mary Nash
 Jack Negley
 Clarence Nordstrom
 Jack Norworth
 William Nunn
 A. B. Oldridge
 Robert Pitkin
 Paul Porter
 Don Randolph
 John Rayold
 Gene Raymond
 Audrey Ridgewell
 Ralph Riggs
 Guy Robertson
 Edward H. Robins
 Emmett Shackelford
 Henry Sherwood
 Ben Smith
 Joe Smith
 Matthew Smith
 Karl Stall
 Herbert Standing
 Frances Starr
 Billy Taft
 Louis Tanno
 Kenneth Thompson
 Robert Toms
 Arthur Treacher
 Ernest Truex
 A. H. VanBuren
 Clyde Veaux
 Joe Verdi
 Ray Walburn
 M. H. Weldon
 Frank Wilcox
 John Williams
 Estelle Winwood
 Donald Woods
 Monte Woolley
 Harold Woolf
 Vera Zorina

MEMBERS OF COUNCIL

Walter Abel
 John Alexander
 Lee Baker
 Beverly Bayne
 Matt Briggs
 Hugh Cameron
 Audrey Christie
 William David

J. Malcolm Dunn
 William Caxton
 Robert T. Haines
 Robert Keith
 Muriel Kirkland
 Ben Lackland
 Winifred Lenihan
 John Lorenz
 Alfred Kappeler

Claudia Morgan
 Leona Fowers
 Maida Reade
 Florence Reed
 Richard Sterling
 Harold Vermilyea
 Joseph Vitale
 Peggy Wood

**PLEASE VOTE! — Send Your Ballot In By Mail Or Attend
 the Meeting — Friday, June 6 — Better Still, DO BOTH!**

Paul Lukas Tops Critics' Poll

(Continued from page 2)

Both "My Sister Eileen," Paul Henreid's "Flight to the West" and Maurice Evans ("Twelfth Night") and Sylvia Weil ("Fledgling"). The following received the most votes: Boris Karloff and Allyn Joslyn ("Arsenic and Old Lace"), Lydia Kelly and Wynn ("The Corn Is Green"), Florence MacMichael ("Out of the Frying Pan"), Lucille Watson ("Meady Christians ("Watch on the Rhine"), Ed Wyn ("Boys and Girls Together"), Ethel Waters ("Cabin in the Sky"), Lydia St. Clair ("Flight to the West"), Helen Craig ("Johnny Belinda"), Betty Blair ("Beautiful People") and Helen Hayes ("Twelfth Night").

Angle on the selection of Lukas for top honors is the fact that it is only his second appearance on Broadway, the other having been in "The House of Mirth" at the Madison. Also notable that "Watch on the Rhine," the drama in which Lukas is appearing, was the choice of Beck, N. Y., also was selected by the critics as the best play of the season.

WHY DOESN'T HE GET MORE? While conclusive evidence of the relationship between a hit play and the recognition of an actor's performance, study of the critics' choices as a whole reveals that nearly all recent performances have been in successful shows. Philip Mervale ("Talley Method"), Florence MacMichael ("Out of the Frying Pan"), Helen Craig ("Johnny Belinda") and Sylvia Weil ("Fledgling") were the only real exceptions to that rule.

In polling the critics, VARIETY suggested that each limit himself to 10 selections. Also, since the poll was held and Robert Coleman divided the Mirror's reviewing assignment, each was limited to one choice from the shows he had covered.

Clear choice of Lukas as giving the "best" performance in all first-time in the three seasons VARIETY has been conducting the poll; that any actor has thus topped all others. Critics' choice for the 1938-39 season was "Hallelujah" (Henry Travers), which tied between Maurice Evans anderson ("Family Portrait") and Ethel Waters ("Cabin's Daughters"), with five votes each. In 1939-40, Robert Taylor ("Oscar Wilde") and Laurette Taylor ("Outward Bound") tied immediately below with eight mentions apiece.

Selections for the 1939-40 season were tied between Alfred Lunt and Ethel Waters, with eight mentions apiece. "There Shall Be No Night" and "For Taming of the Shrew," which latter had eight or "Clara and the Paycock" and one for "Kindred." Sara Algood followed with seven mentions for "Ivanhoe" and "Clara and the Paycock." Selections of the individual critics are listed in alphabetical order of the critics' names. No mention from reference is indicated in the listings.

JOHN ANDERSON (Journal-American)

Ethel Barrymore ("Corn Is Green"), Katharine Cornell ("Doctor's Dilemma"), Paul Lukas ("Watch on the Rhine"), Helen Hayes ("Twelfth Night"), Maurice Evans ("Cabin in the Sky"), Jose Ferrer ("Arsenic and Old Lace"), Peggy Wood ("Old Acquaintance"), Canada Lee ("Native Son"), Boris Karloff ("Arsenic and Old Lace"), Josephine Hull ("Arsenic and Old Lace"), Allyn Joslyn ("Arsenic and Old Lace"), Gertrude Lawrence ("Lady in the Dark"), Dorothy McGuire ("Claudia").

BROOKS ATKINSON (Times)

Ethel Barrymore ("Corn Is Green"), Paul Lukas ("Watch on the Rhine"), Lucille Watson ("Watch on the Rhine"), Mady Christians ("Watch on the Rhine"), Katharine Cornell ("Doctor's Dilemma"), Gertrude Lawrence ("Lady in the Dark"), Ed Wyn ("Boys and Girls Together"), Philip Mervale ("Talley Method"), Dorothy McGuire ("Claudia"), Ethel Waters ("Cabin in the Sky"), Jose Ferrer ("Old Acquaintance"), Paul Henreid ("Flight to the West"), Helena Mendelsohn ("Flight to the West"), Lydia St. Clair ("Flight to the West"), Canada Lee ("Native Son"), Eugene Loring ("Beautiful People"), JOHN MASON BROWN (Post) Paul Lukas ("Watch on the Rhine"), Ethel Barrymore ("The Corn Is Green"), Katharine Cornell ("Doctor's Dilemma"), Gertrude Lawrence ("Lady in the Dark"), Dorothy McGuire ("Claudia"), Canada Lee ("Native Son"), Jane Wolf ("Old Acquaintance"), Josephine Hull ("Arsenic and Old Lace"), Helena Mendelsohn ("Flight to the West"), Gertrude Lawrence ("Fledgling"), Sylvia Weil ("Fledgling").

LOUIS KRONENBERGER (PM)

Paul Lukas ("Watch on the Rhine"), Canada Lee ("Native Son"), Josephine Hull ("Arsenic and Old Lace"), Jose Ferrer ("Arsenic's Aunt"), Dorothy McGuire ("My Sister Eileen"), Helena Mendelsohn ("Flight to the West"), Florence MacMichael ("Out of the Frying Pan").

RICHARD LOCKRIDGE (Sun)

Paul Lukas ("Watch on the Rhine"), Gertrude Lawrence ("Lady in the Dark"), Ethel Barrymore ("Corn Is Green"), Richard Waring ("Corn Is Green"), Josephine Hull ("Arsenic and Old Lace").

BURNS MANTLE (News)

Paul Lukas ("Watch on the Rhine"), Gertrude Lawrence ("Lady in the Dark"), Canada Lee ("Native Son"), Ethel Barrymore ("The Corn Is Green"), Helen Craig ("Johnny Belinda"), Dorothy McGuire ("Claudia"), Katharine Cornell ("Doctor's Dilemma"), Josephine Hull ("Arsenic and Old Lace").

RICHARD WATTS, JR. (Herald Tribune)

Paul Lukas ("Watch on the Rhine"), Ethel Barrymore ("Corn Is Green"), Gertrude Lawrence ("Lady in the Dark"), Dorothy McGuire ("Claudia"), Josephine Hull ("Arsenic and Old Lace"), Canada Lee ("Native Son"), Helen Hayes ("Twelfth Night"), Jose Ferrer ("Arsenic's Aunt"), Sylvia Weil ("Fledgling"), Betty Blair ("Beautiful People").

WALTER WINCHELL (Mirror)

Paul Lukas ("Watch on the Rhine"), Ethel Barrymore ("Corn Is Green"), Dorothy McGuire ("Twelfth Night"), Richard Waring ("Corn Is Green"), Eugene Loring ("Beautiful People").

ROBERT COLEMAN (Mirror)

Josephine Hull ("Arsenic and Old Lace"), Jean Adair ("Arsenic and Old Lace"), Dorothy McGuire ("Claudia"), Gertrude Lawrence ("Lady in the Dark"), Betty Booth ("My Sister Eileen"), Gene Kelly ("Pal Joey"), Vivienne Segal ("Pal Joey"), Jane Wolf ("Old Acquaintance"), Peggy Wood ("Old Acquaintance"), Katharine Cornell ("Doctor's Dilemma").

Sidelines

In submitting their selections, some of the critics added further points of comment. Atkinson, for instance, named more than the suggested total of 10 plays, making a nomination for including some that ought to be mentioned. Kronenberger selected Henreid as his list's top pick, and "best performances" and "and the final two" and "best in equal parts." Lockridge tent his list as the per-

formances about which I seem to have some measure of opinion." Mantle prefaced his choices with the observation, "The actor's best is always closely related to his author's, so, as you know. Opportunity plus skill is the secret." He used the same descriptive phrase about each actor he selected, then closed with the observation, "There are other good performances, too. But these were probably top. Anyway, they have a basis in fact."

Watts remarked that his list was "at the moment of making it out" and that he was sure that in the note, it suspect it would differ in a couple of respects if I made it out, say, day after tomorrow.

Legit Summary

(Continued from page 47)

same management, Sam H. Harris, collected top picture club with "The Man Who Came to Dinner." Other shows, which got big coin for picture rights were:

"My Sister Eileen," \$225,000; "Hellzapoppin'," \$200,000; "Arsenic and Old Lace," \$175,000; "Louisiana," \$150,000. A percentage of profits applied in the deals for "Arsenic," "Hellzapoppin'" and "Robacco Road." Highest money paid for shows of previous season went to "Bitter Sweet," for which RKO paid \$50,000, for about four years, but the amount was much smaller. Other shows disposed of to the Coast went for mid-price figures.

22 Never Reached 'Way

Twenty-two shows opened out of town but failed to reach the Main Stem. Of these, four of the most in town in the last are "Hope for a Harvest," "Theatre," "Somewhere in the Heart of the West" and "The First Two." The last two have been announced as aimed for next season on Broadway, prior to their debut out of town. Others that never reached N.Y. were the costly musicals "Hi-Ya! Gentlemen," "The Blue Bird," "The Little God Laughed," plus such straight plays as "Conquest in April," "The Sign of the Cross" and "The Angels," "Battle of Angels," "In My Opinion," "Off the Record," "The Big Sister," "Pal Joey" and "Robacco Road." "A Policeman's Lot," "The Hard Way," "About Tomorrow," "Treat Her Gentle" and "Goodbye to Love."

Not listed with the hits and flops are the shows which were revived and, according to the boxoffice results, the show list could be further augmented. These shows were "The Mastered by 'Twelfth Night' (Helen Hayes, Maurice Evans) and "The American Dream" (Gloria Grahame, Neil-Raymond Massey), soon going off at the Shubert. "Charley's Aunt" (Maurice Evans) and "The Sign of the Cross" (John Houseman) will, like "Kind Lady" was distinctly successful, too. Latter two shows carried the summer season, but fell in early in the season as revivals came along faster than the season's content of the script shortage.

Chi Legit Slid

(Continued from page 46)

were stronger and the season ran longer, extending well beyond two weeks with the yesterday (Monday) advent of "Life With Father," expected at least stretch through the end of July.

The biggest week at the Cass went to "Hellzapoppin'," which ran six days, capturing New Year's. Close to "Hellz" were Katharine Cornell, hit, "The Doctor's Dilemma," "The Doctor's Dilemma," while Helen Hayes' Maurice Evans, in "Twelfth Night" hit the same capacity attendance, the grosses being only slightly through the subscription series.

Mpls. Not Worst Show Town, Manager Claims

Minneapolis, June 3. Minneapolis had its best legit road-show season in four years at the \$100,000 level, according to R. Murray, who has managed the house during that period. Ingress in the present season, beyond the new peak for recent years, he declared. "This city generally has the reputation of being a show town," but Murray contends that "slur" isn't justified.

During the season recently ended, there were 11 plays on stage world-

New York Producing Managers

(Listed Verified Addresses and Phone Nos. in N. Y. City)

- George Abbott, 630 Fifth Ave., CI 5-8200.
- Harry Adler, 156 W. 44th St., LO 1-9320.
- Richard Aldrich & Richard Myers, 11 W. 44th St., PE 6-0729.
- Arthur J. Beckhard, 120 W. 45th St., BR 9-3300.
- Norman Ben Geddes, 50 Rockefeller Plaza, CI 5-8300.
- Richard Berger & Laurence Schwab, 1270 8th Ave., CI 7-5974.
- W. Donald Blackwell & Raymond M. Curtis, 539 5th Ave., CI 5-7970.
- Al Brodsky & J. Richard Kustanby, 521 5th Ave., MU 2-6972.
- Gustav Blum, 11 W. 42d St., CH 4-0811.
- Sam H. G. Bonalis & George Solomon, 9 Rockefeller Plaza, CI 5-8994.
- Ben Boyar, 214 W. 42d St., WI 6-2323.
- Wm. A. Brady & Grace George, 137 W. 48th St., BR 9-2200.
- Law Bros & Ray Henderson, Inc., 1019 Broadway, CI 6-0555.
- Courtney Bray, 654 Madison Ave., BR 4-8278.
- Sam Byrd, 128 W. 44th St., BR 9-2323.
- Eddie Cantor (Irving Mansfield), 730 5th Ave., CI 6-2677.
- W. C. Charok, 234 W. 44th St., WI 6-2323.
- Continental Productions, care of Paul C. Colin, 1270 8th Ave., CH 4-2625.
- Sauline Cooke, 1074 Broadway, CO 5-1930.
- Katharina Cornell Productions, Inc., 420 W. 42nd St., LO 270 8th Ave., CI 5-1522.
- Cheryl Crawford & John Wildberg, 149 W. 42d St., LO 3-5878.
- Joseph D'Amico & Herman Lindsay, 430 Broadway, LO 5-0623.
- Raymond M. Curtis & W. Donald Blackwell, 630 5th Ave., CI 5-7670.
- Joseph D'Amico & Herman Levin, 234 W. 49th St., CI 6-8870.
- Alfred de Laegre, Jr., 11 W. 42d St., 5th Ave., LO 4-8598.
- Al Lewis (Al Lewis), 851 5th Ave., MU 7-2930.
- Eddie Dowling, 846 W. 44th St., BR 9-5697.
- Richard Duff & Herman Steinberg, 9 Rockefeller Plaza, CI 6-7052.
- Philip Dunning (Carter Blake), 234 W. 42d St., WI 7-8877.
- Harry Louise Fildes & Clarence Taylor, 11 W. 42d St., LO 4-4868.
- Lee Ephraim, 234 W. 44th St., LA 6-2459.
- Maurice Evans, 246 W. 44th St., BR 9-1454.
- John F. Irving Forbes, 229 W. 42d St., WI 7-3528.
- Marty Forkins, 1554 Broadway, BR 9-7076.
- John F. Freedley, 1250 8th Ave., CI 7-1501.
- Marin Gable & Carly Wharton, 11 W. 42d St., LA 4-8335.
- John Golden (Richard), French, 248 W. 44th St., BR 9-6894.
- Edith Gordon, 229 W. 42d St., WI 7-8159.
- Harry Wagstaff Gribble, 885 1st Ave., EL 5-0447.
- Group Theatre (Kermit Bloomfield & Herman Shuman Office), 229 W. 42d St., CI 7-0195.
- T. E. Hammetton, 1430 Broadway, WI 4-7121.
- Ed Hamberstein & Dennis Duff, 9 Rockefeller Plaza, CI 6-7052.
- John Harter & Irving Barratt, 1584 Broadway, BR 9-5910.
- Sam H. Harris, 248 W. 44th St., WI 7-8159.
- Wm. Harris, Jr., 1430 Broadway, BR 9-5906.
- Joseph Hyman & Joseph Hyman, 1501 Broadway, LA 4-1818.
- Felix Jacobs, 137 W. 48th St., BR 9-2200.
- Russell Janney, 58 W. 45th St., VA 6-1349.
- Angelo Payne-Jennings (Anglo-American Productions, Ltd.), 21 W. 47th St., LO 3-0841.
- Joseph Jessel, 1501 Broadway, LO 3-1250.
- Michael Kallasser, 1584 Broadway, WI 4-7121.
- Kurt Kasznar, 234 W. 44th St., LA 4-3081.
- Richard King, 25 W. 45th St., CH 4-5995.
- Jack Kirkland, 228 W. 49th St., CI 6-8121.
- George Lattimore, 110 W. 47th St., LO 5-0442.
- Leventhal (Henry Bennett), 125 W. 44th St., BR 9-1922.
- Sam H. Madock, 234 W. 44th St., WI 7-8159.
- Mercury Theatre, Orson Welles (John Houseman), 1430 Broadway, WI 4-7121.
- Metropolitan Players, Inc., 1425 Broadway, WI 4-7121.
- Alfred Miller (Heron Productions), 9 Rockefeller Plaza, CI 6-1940.
- Alfred Miller (Heron Productions Playhouse), Roslyn, L. I., N. Y.
- Roger Mulder, 137 W. 44th St., BR 9-2200.
- Percy Oskay, 1584 Broadway, LO 5-0607.
- Clara Olson & Chick Johnson, care of Shuberts, 234 W. 44th St., CI 6-8115.
- Harry H. Oshrin, 1501 Broadway, WI 4-7121.
- Brook Pemberton, 248 W. 44th St., LO 5-0550.
- Norman Plumen, 250 W. 52d St., CI 7-2440.
- Playwrights Producing Co., Inc., 234 W. 44th St., CI 6-7670.
- Oto Preminger, 234 W. 44th St., CH 4-2829.
- John P. Richett (Pinch Carpenter Corp.), 1270 8th Ave., CI 6-8044.
- Laurence Rivers (Roland Stebbins), 1270 8th Ave., CI 6-8044.
- San Carlo Opera Co.—Fortune Gallo—1897 Broadway, CO 5-0741.
- Sam S. Sussman, 1430 Broadway, 630 5th Ave., CI 5-7670.
- Oscar Serin, 1250 8th Ave., CI 7-1501.
- J. J. Shubert—John J. Shubert—234 W. 44th St., BR 9-2200.
- Lee Shubert (Edward Choate), 229 W. 44th St., CI 6-8100.
- Herman Shuman, 229 W. 42d St., CI 7-0195.
- Corneilia Ott Skinner, 522 6th Ave., CI 6-7010.
- Richard Sklar & Day Tuttle, 11 W. 42d St., PE 6-5359.
- Lee Strebe Guild, 245 W. 52d St., CO 5-1070.
- Michael Todd (Joe Gluck), 1270 8th Ave., CI 6-8044.
- John Tarkenton, 37 W. 46th St., ME 7-8222.
- John Tarkenton, 152 W. 42d St., CI 3-4601.
- Leventhal (Henry Bennett), 125 W. 44th St., BR 9-1922.
- Everett Weil, 1430 Broadway, LO 5-0625.
- Clara Wilson, 10 Rockefeller Plaza, CI 5-5282.
- Dwight Dorey Wiman (J. H. del St. Paul & Westbury), 137 W. 44th St., BR 9-4080.
- Ed Wyn, 234 W. 44th St., BR 9-0522.

Broadway

Kermit Bloomgarden to White Sulphur Springs for vacation.
Clay Cooper, actor, to Clayton next week on one-picture deal.
James Butterworth huddling with Howard Reinherm on a Broadway musical.

Charles Greenwood writing her autobiography on the Coast, titled 'Never Tell a Lie'.
Keith-Johnston has replaced Raymond Massey in 'The Doctor's Daughter'.
Jack Sherry, actor, who's in Maxine Cross reserve, due to be called to active duty this week.

Dave Lipton, now honeymooning, will be in Chicago next week for clubbing.
Ben Boyer back with Max Gordon as manager of 'My Sister Elvira', replacing Al Cohen.
Father of Mary (Stuttering Sam) Brown, Leslie, production chief of U. S. Pat. Worth chief of police.

John Joseph, Universal ad and publicity chief, back in New York.
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Harry Kaufman (Suburban) resigned at Golden-Putnam, Saratoga.
Ray Goetz taking a house in the summer.
John Joseph, Universal ad and publicity chief, back in New York.

Paul Nathan, assistant to John Barry in Paramount play department, has written a comedy legler on his own which is being peddled on Broadway by 'Fitz'.
Fitz, Fishbein, and missus, former Peggy Zastel, in from Indianapolis on way to Cohasset, Mass., where they will be working again for South Shore P. exers.

England division manager.
Charles E. Bellamy, because mistake trade has been annihilated by 'The Sign of the Cross'.
Bell Baker's lead, 'Hot', had his one-act, 'Trebble Crier', staged by a drama group which he's a study.

Pittsburgh

By Hal Cohen

William Woolf's mother in town last week for a visit with old friends.
Richard Lee, head leader of the DeMott, will tell it to a preacher next week.
Marie Rose, of WB branch, has set for her wedding her marriage to Adrien Goldbaum.

Joe Joasch, Jr., home for short vacation from his summer job in Miami all winter.
The firm is assuming dance career following marriage to sax player Harry Pierce.
Harry Weinstein and their son leave middle of this month for four-week vacation in California.

Kilbuck Theatre's 'Ghost Train' found up month's run at Congress of Clubs auditorium last week.
Singer Betty Cook, niece of Stanley Mayer, married Charles H. Deane, of Roanoke, Va., for the summer.
Lester and the Senators are back this weekend to take in parley of Columbia district and branch managers.

Bugsie Benstock, head of Associated Theatres Properties, taken to hospital suddenly with pneumonia.
His wife, Mrs. Margaret Lee, but now recovering.
Bernard J. Ray, who joined the Royal Army Service Corps, is now back in New York with Public Relations Unit at General Headquarters.

Bob Gill, Carnegie Tech drama director, has been named to succeed here, reappointed for second National Theatre Conference \$1,000 fellowship.
A. Leo Levy, local lawyer, and Frances Blum, with Gimblets, have finished a book on law and it's being peddled on Broadway by 'Fitz'.
Fitz, Fishbein, and missus, former Peggy Zastel, in from Indianapolis on way to Cohasset, Mass., where they will be working again for South Shore P. exers.

Havana

COK, the Sports Commission radio broadcasts to other republics.
Cuba's Communist Party has moved to New York.
CMBQ broadcast to New York.
Skit premiered was 'The Marvel Skit'.
Chie's first major film ever to be shown in Havana.
Victor just recorded three new numbers which will be heard shortly through the radio.

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Chicago

Film Bookers Club holding first annual dinner-dance in the Panther Room of the Sherman hotel on June 14.
John Pollack in ahead of 'Cabin in the Sky'.
Geraldine Hamburg, who goes east to handle the Holyoke (Mass.) strawhatter.
Mrs. Gertrude Hamburg, whose father is manager of the Panther Room, will attend dinner-chatter.
Song, titled 'Celeb'ing Sam, We Love You'.
Theater Grand Cross celebrating first anniversary as scriper of the Herald-Examiner's 'Theater' column, with Larry Clinton orchestra joining with the 'Theater' column, with Larry Clinton orchestra joining with the 'Theater' column, with Larry Clinton orchestra joining with the 'Theater' column.

London

Occur Deutch on two weeks re-opening holiday.
Theater group will be commencing between Ascot and London.
Eccentric club, famous rendezvous, show follows.
Mrs. Sam Smith back from New York on an adventurous career of ducking U. S. tax.

She has an adventurous career of ducking U. S. tax.
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Convent Hypocrite reopened, after being closed for 18 days due to a fire.
Theater group will be commencing between Ascot and London.
Eccentric club, famous rendezvous, show follows.

Management of Prince of Wales Theatre, during the hour of the late, was ready to let house on long lease.
Naughty No., current show, is due to be sold any day.
The Polish Ballet show which played 200 nights in New York, has left for the States and is to play 200 nights to principals.

Jack Haydon, dickering with Sir Otto, for the lease of the 1000 seats, but deal not likely to materialize.
The minimum guarantee of the gross, with minimum guarantee of \$500 per week.
Ward Bond (London) now dickering with George King and John Wood to do film of his life story of Reginald Mitchell, the inventor of the Spitfire.

Leslie Howe dickering with Nova Philbeam to play lead in A. J. Lester's 'The Captive'.
Lockwood was originally scheduled for a picture, but expecting addition to family.
'Wilfrid Laurier' is being made lead.
'Leslie's 'Specialists', the English rights of which are owned mainly by the British, are being made in his new revue, 'Black Vanities', at the Victoria Palace, but it was cut out for the time being in favor of the Lord Chamberlain.

Australia

Former legler, Gink's, Melbourne may go to U. S. for 20th-Fox chatter.
Ward Bond will Clapper two reps to this country.
Greater Union Theatres continues being made in his new revue, 'Black Vanities', at the Victoria Palace, but it was cut out for the time being in favor of the Lord Chamberlain.

Young People (20th) moving badly for Australia.
Radio advertising is being abandoned despite wartime headaches.
Shirley Ross, who is in Melbourne, is being made in his new revue, 'Black Vanities', at the Victoria Palace, but it was cut out for the time being in favor of the Lord Chamberlain.

High time (M-G) continues to pull grade in New Zealand on exhibition.
'Boom Town' and 'Philly Striptease' are being made in his new revue, 'Black Vanities', at the Victoria Palace, but it was cut out for the time being in favor of the Lord Chamberlain.

For a season after conductor of New Zealand.
Department of Information is taking two minutes nightly from every program station to show a picture of New Zealand presently, with picture entertainment outfit, for the masses.
Timely work was done by Spotting in gathering an library show of Rudolf Hess into a special clip and hoping in London to nab house of Commons explanation.
The money is still playing in Perth for the Watermen: May form union later for a play manager.
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Buenos Aires

By Ray Jones
Fritz Busch finished concert series at Cortes.
Morris Goodman, v-p of Republic Pictures, in town.
Phil Reisman, foreign chief of RKO, back to Staten.
Theater group will be commencing between Ascot and London.

Uraguayan 1 did a d. Carlos Domercq at Teatro Republico.
Dr. Pedro E. Picó named head of Argentine film industry.
Aurelio Torres set to handle Terzo Films in provincial.
Bailo Baito.
F. Fox office here celebrated 25th anniversary of the late of Sonja Henie.

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Hollywood

Hai Rosko north for trout fishing.
Jack Milstein in town for business.
Irwal Jones joined 20th-Fox publicity staff.
Langford and Jon Hall to Lakeland, Fla.
Wilma Francis, screen player, discharged from hospital.
Fred Githman up and around after pneumonia.

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By Ray Jones

Stroudsburg, Pa.

By John Bartholomew

Localite Der Walker playing with Reggie Childers.
Camp Tamminet's new 1,200-seat theater, owned by John Bartholomew, is being made in his new revue, 'Black Vanities', at the Victoria Palace, but it was cut out for the time being in favor of the Lord Chamberlain.

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By Sam X. Hurst

Case Loma, South St. Louis ballroom, closed for the summer.
Jimmie Irving, manager at the Metropolitan Ballroom, Jewish hippy after a major operation.
St. Louis symph society, was re-elected by their 17th consecutive year.
Keith Richards, Paramount contracted player, pulling an offer to pitch for the Hollywood Stars.
He was a three-letter man at Pitzer.

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St. Louis symph society, was re-elected by their 17th consecutive year.
Keith Richards, Paramount contracted player, pulling an offer to pitch for the Hollywood Stars.
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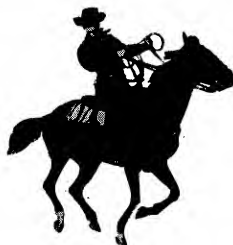
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He's headed
your way!



With the biggest
Technicolor out-
door show since
"Northwest Passage"!



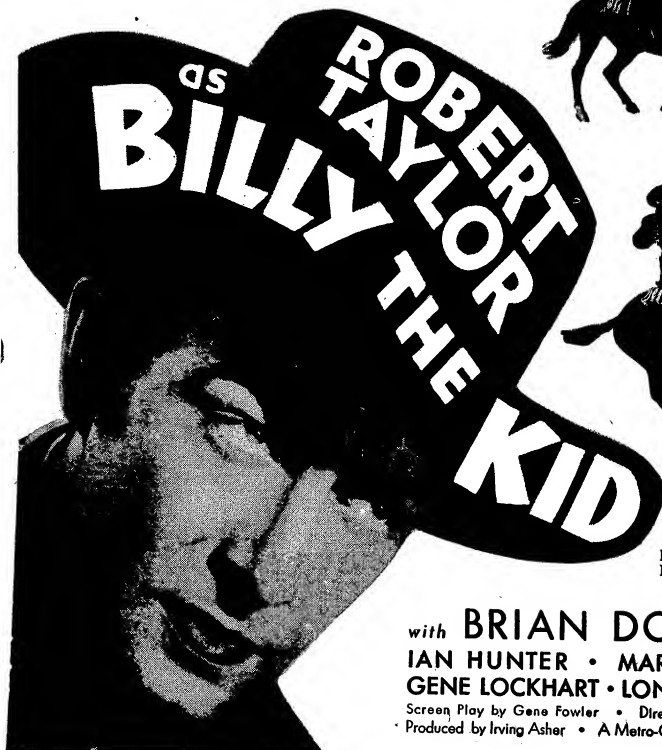
Keep your
playing time
wide-open!



Don't shoot!
It's not a
hold-up! It's
a HOLD-OVER!

**TECHNICOLOR
MASTERPIECE
OPENINGS
SENSATIONAL!**

Detroit, San Francisco, Buffalo,
Memphis are terrific! Watch this one!



with **BRIAN DONLEVY**
IAN HUNTER • MARY HOWARD
GENE LOCKHART • LON CHANEY, Jr.
Screen Play by Gene Fowler • Directed by David Miller
Produced by Irving Asher • A Metro-Goldwyn-Mayer Picture

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VOL 143 NO. 1

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PRICE 25 CENTS

'FLOCK' TO HOLLYWOOD

U. S. and Canada Tightening Control on Films and Radio

Washington, June 10.

Six months in jail, \$500, or both is the penalty provided in a Navy Department sponsored bill, now before the Senate Naval Affairs Committee, for camera-toters shooting pictures of naval equipment of any character—ships, aircraft, shore stations, docks, property under construction or completed, etc.

Whether the offender is a six-year-old carrying a 88c box camera or a newsreel man, the U. S. will crack down on any pix of this nature if the bill becomes law. Foreign naval vessels, foreign armed merchant craft and foreign aircraft within the territorial waters of the United States have been included in the legislation—the direct result of the recent scrap over news pictures of the wounded British battleship, Malaya, which was filmed limping into New York harbor for aid-to-Britain repairs.

Provisions were made by Senator Hiram W. Johnson, California Republican and ardent isolationist, that enactment of the measure would

(Continued on page 18)

Flock of B'way Stage Musicals Due in 1941-42

An unusually big field of musicals is in the making for next season on Broadway though a name lineup is not yet indicated. With an already promising bunch of straight plays committed to production, the 1941-42 period should easily top the managerial activity of the season just completed. Musicals, however, should see at least 15 on the boards, presided by showmen who know their stuff, rather than newcomers of the type responsible for several costly failures last season.

George Abbott is slated to come forth with the first song and dance show, "Young Man's Fancy," book

(Continued on page 32)

Cops, TA and Poor B.O. Crimp Cornberg Benefic

"Stars and Stripes Forever," subtitled "Noches de las Americas" ("Nights of the Americas"), a concert supposedly to promote a John Phillips Sousa memorial auditorium in Washington will not go on as scheduled tonight (Wednesday) at Carnegie Hall, N. Y. Several factors intervened to stop it, the least of which were the police, Theatre Authority and, finally, almost no ticket.

TA notified all the talent unions (Continued on page 38)

Uniform a Pass

Philadelphia, June 10.

Uniformed men and women in the nation's armed forces will be admitted free Monday and Friday evenings to the Robin Hood Dell concerts which start on June 19.

David Hoeker, director of the concerts, also announced that the national anthem will be played at the opening of each program.

Heifetz's Ideas To Sidestep AFM 'Collaboration'

Joseph Heifetz may play no more concert appearances with members of the American Federation of Musicians after this summer. Instead, he may confine himself to recitals and a few guest solo dates with the Boston Symphony, as long as that organization remains outside the AFM.

Violinist is scheduled for appearances with the Philharmonic orchestra at the Stadium, N. Y., and the Los Angeles Symphony in Hollywood Bowl during August, but any further concert bookings apparently depend on whether James C. Petrie, AFM president, tries to enforce (Continued on page 34)

Her Chauffeur Isn't In Union, So Cornell's Show Has Picket Line

Attorneys for Katharine Cornell will apply this week for an injunction to prevent members of a newly-formed chauffeurs' union from picketing the Shubert theatre, N. Y., where the actress is currently starring in a revival of "The Doctor's Dilemma" under her own management. Eleven-pounders began front Friday night (6) to parade in front of his own. It also claimed that the star of being 'unfair,' because her chauffeur is not a member of the union.

According to Miss Cornell's representatives, the chauffeur involved is not employed by her, but by her husband, Guthrie McClintic, who staged "Dilemma" and is a producer on his own. It also claimed that the chauffeur has been in McClintic's employ about 10 years, is paid much more than the union's minimum, gets a longer paid vacation and has no desire to join the organization

FILM BIZ BAGS BEHIND THE U.S.

Hinterland Is 'Way Ahead of the Industry, Argues Independent Theatre Owner —He Claims the Public Is Hungry for the New and Novel in the Cinema Art

B'S MEAN B. O. BUSTS

By JOHN A. GOODNO
(Sec'y-treasurer, Palace Amus. Co., Palace theatre, Huntington, W. Va.)

Huntington, W. Va., June 10. In the current coast-to-coast search for alibis for what's wrong with show business, an exhibitor may sift them all down to the point where he can find at least a few cracks at the stage where the silents were in 1929.

Looking backward one will see that talkies showed plenty of weakening symptoms in the mid-thirties and were revived in 1936 by Bank Night and further strengthened by the Boston Symphony.

There can be no doubt that plenty of theatres in this section would have closed or limped along had it not been for the tremendous stimuli of the giveaway era.

No other factor so completely altered the picture.

DEAN DIXON 1ST NEGRO TO CONDUCT NBC SYMPH

Dean Dixon, 26-year-old Negro conductor, has been engaged by the National Broadcasting Co. to conduct the NBC Symphony orchestra June 21 and 22. Dixon is the first member of his race to conduct the orchestra.

Robt' Montgomery Denies Plan for Lindbergh Reply

Detroit, June 10. Denials to a Walter Winchell radio report that he was to speak in Detroit in answer to the local press by Robert Montgomery. According to the newscast Montgomery was not invited to the local press by Robert Montgomery. According to the newscast Montgomery was not invited to the local press by Robert Montgomery. According to the newscast Montgomery was not invited to the local press by Robert Montgomery.

2 P.s. and 8 Equity Council Members Resign, Piqued Over New Elections

Charlie Cha(n)plin

Des Moines, June 10.

It's a sure bet the 10-year-olds don't know who Charlie Chaplin is if this conversation is any criterion.

First boy: 'Are you going to see Charlie Chan in "The Dictator"?'
Second boy: 'Sure, and I hope Chan gives those dictators what's comin' to 'em.'

The most violent upheaval in Equity since the left agitator association was formed followed last Friday's (6) election. Yesterday (Tuesday) saw Peggy Wood and Florence Reed, both vice-presidents, and eight members of the Equity council handing in their resignations. Councilors, all active in Equity's affairs, who also resigned are Alfred Kappeler, Winifred Lenihan, Muriel Kirkland, Lee Baker, Claudia Morgan, William David, Joseph Vitale and Ben Lickland.

In letters sent president Bert Lytell and Equity, they stated there was no longer any place for them on the controlling body since they represent a candidate elected rather than the majority of the membership. Contending that there are now 17 members on the council to represent the 'new order,' that figure was arrived at by adding the five opposition candidates elected (including two of the regular ticket) plus those who previously got on the council and were identified as

(Continued on page 44)

Exhibits Hoping F.D.R. Proclaims 'Gasless Sundays'

Detroit, June 10.

While exhibitors here aren't saying much they seem to think it would be a nice thing for business —if maybe the President did proclaim those 'gasless Sundays.'

Here in the motorizing center of the nation, where as soon as Little Willie gets long pants the family puts up a two-car garage, that Sunday blitz on motorizing is figured would be a new boom for the show biz. The streetcars and buses run downtown and even the neighborhood exhibitors are dropping broad hints that it would be a good thing for the country if the public conservation on gas, particularly now that they got so much defense money jingling in their pockets.

That they've got something is reflected in the statistics of the State (Continued on page 47)

London Denies Talk That H'wood Will Be Propaganda Center

London, June 10.

Spread of rumor that Hollywood would become a production center for Ministry of Information propaganda six drew official knifing when Board of Trade spokesman in the House asserted MOI and other briefings have never been considered for production outside England.

Word first seeped around with the bushy visit of Arthur Jara to Hollywood some months back. Although understood to be on Government business, the Gaumont-British exec's visit was never fully explained. Ideas received further play recently when a couple of times here stated they were Hollywood-bound to go into propaganda shorts. Names of David Selznick and Valeris Hobson were tied in with one of them.

Selznick-Capra Look Set to Join UA as Partners

Hollywood, June 10.

Deal for David O. Selznick and Frank Capra to join United Artists, as members-owned is likely to be concluded this week. Several points to be cleared up were discussed at a meeting Saturday (7) by Selznick, Capra and their attorneys and dispatched to Mary Pickford, Charles Chaplin, Alexander Korda and the Bank of America, acting for Douglas Fairbanks' estate, for summary disposition.

Korda is handling the deal for UA which is expected to be closed tomorrow (Wednesday) before Capra returns. Further consideration of their demands would postpone final action on proposal until Capra returns in three weeks.

Byrne Bites Pluggers

Bobby Byrne invited all the ASCAP publishers to his opening at the Pennsylvania hotel Monday night (9) but what made this invitation interesting was that the bandman insisted on picking up all the music men's checks. No publisher or contact man was permitted to pop. Byrne is not a plug since his outfit is NBC.

Livingstone, Who Worked Way Back As Deckhand, Pictures Nazified Paris

By ABEL GREEN

Maurice Livingstone, veteran film sales executive in Paris for United Artists and RKO-Radio, just returned from abroad after working his way back on the S. Scudder as steaman swabbing the decks; else he still be in Lisbon.

Livingstone, one of the last Americans in France to return, leaving the former French capital May 1, brings back the same tales of Nazified Paris, explaining that the populace, seeing within but can do nothing. From a show biz viewpoint, the anomaly is the midnight curfew, with result the theaters are booming. That is, Frenchmen don't go out until 11:30 p.m. and stay in the cafes until 5 a.m., when the midnight-11:55 curfew is lifted. Hundreds of courses, military or military, have no restrictions, and they, too, make the most of things in the movie.

No American films are shown and French pix made before 1938 are continued on page 16

QUAKER PRESS AGENT INTO CONSCIENCE CAMP

Philadelphia, June 10.

Jim Stanley, former press agent for RCA-Victor, is now a member of the camp for conscientious objectors at Pateros, Md. He is corresponding to the Pully newspapers at the camp. Stanley is a member of the Quaker faith.

Andrews Sisters Defer

On U's Jukebox Picture

Andrew Sisters have deferred a return to United Artists, who had they begin work immediately on the filming of a story built around the song, "I'm a Fool to Care," which was tentatively titled "50 Million Nickels Can't Be Wrong." Trio has announced that they will not start work on the film until the fall. Meanwhile they are all scheduled for separate appearances, one of which had already been set back because of their stay on the Coast. Trio just finished "Oh, Chérie" which awaits release.

Girls open at the Golden Gate, San Francisco, June 10, with their first show on June 26 at Steel Pier, Atlantic City. Following that they go to theaters in York, Pa., and return to Steel Pier; three weeks at Earlton Hotel, Boston, opening July 24; then, Keith's theatre, Boston, Erie, Philadelphia, Erie, Washington, and Hipp, Baltimore, in session.

TEXACO'S U. S. BONDSERS

Laughton Set by Dicks—Allen to Launch Series—Other Stars

Fred Allen has been set as m.c. for the initial program of the CBS Wednesday night series which will feature the sale of U. S. Treasury bonds and stamps. The first half of Allen's present hour becomes the U. S. present hour a half-hour on June 2, at the week following the comedian's seasonal washup for Texaco, which is to feature the big \$100,000 hook-up time but all talent accepting the name guests.

For the first time, co-announcer on the present Texaco series, will do the sales talk for the Government. For the July 2 week, the show will be set and it is hoped to get Bob Hope, Eddie Cantor and George Jessel, among others, to handle subsequent m.c. assignment.

As for screen celebs for the initial program the only one who has been set has so far is Charles Laughton. Carole Lombard is a possible theme to Laughton for this event.

Liberty's Joe Sahnak Story A four-act installment, to be produced by Liberty starting with the Wednesday (18) show will be titled the "Rise and Fall of Joe Sahnak."

Alan Hymn, staff scribe for Liberty mag, saw the 20th-Fox executive while he was in the east recently and subsequently signed an agreement with the film executive at his Coast ranch.

Nancy Gates, WFAA, Due At M-G-M in Hollywood

Dallas, June 10.

Nancy Gates, staff singer for WFAA, since 1938 will leave soon for M-G-M in Hollywood. She has been a member of the WFAA-MGM-Mayer Studios. A farewell program in her honor was given recently with Gates singing "The Blue Danube" orchestra furnishing the music and using song written by singer's brother.

Since last fall Miss Gates has been heard in a series of weekly programs over KGKO and WFAA. Her home is in Denton, Texas.

EXHIB LEADER PANS 'SOUPRUS' STARS

Columbus, June 7.

Editor, VARIETY: We all know the boxoffice is damn sick. I think the straw that would break the camel's back would be to lend any encouragement to Sprock's ideas of turning out a lot of film stars around the country to meet their fans.

Some dozen of these individuals attended the recent Variety Club Convention at Atlantic City. I think the straw that would break the camel's back would be to lend any encouragement to Sprock's ideas of turning out a lot of film stars around the country to meet their fans.

I stood opposite one of these beautiful damsels at the trap table and the 'soupous' gave one of those looks that I presume she used on her now divorced husband when he returned home after a late return. ... And this dame, I understand, was paid real dough to do something below zero minus.

I can also recall that not many months ago when another of these individuals played one of the local theatres, the manager had a full worrisome week taking the newspapers into complaining that the night escapades at the various night spots, where she left a goodly portion of her salary keeping them open until the children were on their way to school.

For some you'll start a campaign to keep these babies where they rightfully belong—in the studios at Hollywood.

P. J. WOOD, Sec'y, ITO of Ohio.

Cornelia Otis Skinner In Series of WB Shorts

Hollywood, June 10.

Cornelia Otis Skinner makes her debut on the screen at Warner's in a series of two shorts, one of which she will do solo.

Understood a few of the shorts will be in collaboration with the Otis Skinner in collaboration with the Otis Skinner writers.

Pan-Am Airways Finishes 2d in Try To Gag Newsmen at LaGuardia Field

BERGEN, FIBBER-MOLLY SET 3-YEAR RKO DEAL

Hollywood, June 10.

Combination of Edgar Bergen and Bing Crosby, who with the late Edna Mae Goo and Molly signed a deal to make one picture a year for the next three years, was announced today. The trio is working in 'Look Who's Laughing' on the same lot. "Keep it coming" is the deal for Fibber and Molly. Writers have been advised to avoid writing anything with the word "radio" at a secondary level maintained by the Jordans on their radio program. Studio execs in the custom room told one fed American can't be.

'21' Stage Musical

Address Dorothy Hall, Harry Puck of Ken Nichols has written a musical comedy entitled '21', and partly located in the 52nd Street cafe of Manhattan. Opening the show, the safe are given the piece their blessing and maybe a little of their cash. ... Sunday (9) at the RKO-Radio Hall and Harry Puck gave a reading of the script in the apartment of the show. ... for some prospective possible backers.

Rochester-Headed Unit Booked for 10 Weeks; \$6,500 Weekly Plus %

Rochester (Eddie Anderson) already has around 10 weeks of stage playing time booked at the head of parade unit. Stage is being paid for \$6,500 weekly, plus percentages. Plus the colored comic, unit includes Dick Smith's arch, Gracie Barrie (Mrs. Stabile), Walton O'Rourke and two acts to fill. Open the Paramount on June 10, then, then fly east to play the Earle, Washington, starting June 21. Philadelphia, Pittsburgh, Albany, New York, Baltimore, the Steel Pier, Atlantic City, Indianapolis and the Strand, N.Y. will be other stops on the route set by the Music Corp. of America.

Saroyan to Produce New Play He's Writing

San Francisco, June 10.

William Saroyan, currently working here on the pre-publication of his three plays, "The Desert and the People," "Sweeney in the Trees" and "Across the Hard on Tomorrow Morning," is also having another play, which he states, he will have ready for October production.

He did with "Beautiful People," current at La Guardia, N.Y., when he returns to Broadway in the fall.

'Mr. and Mrs. Cugat' Pubs Settling with Maestro

Out of court settlement is being arranged among Xavier Cugat, Houghton-Mifflin and Paramount on the rhumba maestro's objection to the book, "Mr. and Mrs. Cugat" by Elizabeth Scott Bronk, published by Houghton Mifflin.

The deal, awarded settlement of the bard's estate.

A. O. Dawson, H-M attorney, said Monday (8) settlement might be closed in two weeks or a week. It is understood that \$3,500 is the deal. Dawson figures are being negotiated as a sort of mediator to speed things up after Cugat refused an initial offer by H-M of \$2,000.

Harlan Thompson West

Harlan Thompson and his wife, Marian Spitzer, return to the Coast next week for the summer, most of which she will do solo.

Understood a few of the shorts will be in collaboration with the Otis Skinner in collaboration with the Otis Skinner writers.

BERGEN, FIBBER-MOLLY SET 3-YEAR RKO DEAL

Combination of Edgar Bergen and Bing Crosby, who with the late Edna Mae Goo and Molly signed a deal to make one picture a year for the next three years, was announced today. The trio is working in 'Look Who's Laughing' on the same lot. "Keep it coming" is the deal for Fibber and Molly. Writers have been advised to avoid writing anything with the word "radio" at a secondary level maintained by the Jordans on their radio program. Studio execs in the custom room told one fed American can't be.

THE BERLE-ING POINT

By Milton Berle

Joe E. Lewis went to the racetrack the other day and came home muttering. John Powers finally got Broadway Rose a modeling job. She's posing for the cover on the next issue of 'Gentleman's Monthly'. Jay C. Flippen knows a hamula legit actor who has played so many times how he carries his own water while comedian Joe E. Lewis has been promoted. He was just from social security to social director. When Murray Bernie, the writer, took the program for the draft, he told me that he couldn't see very well. The medico replied: "Don't worry, you'll put up front so you won't miss anything." (He is now rehearsing at Camp Upton.)

Hollywoodiana

Definition of a fellow who just signed a movie contract: He just showed his R. K. Oats. Don Ameche wires me that he knows a Hollywood actress who's been married so many times wedding bells just sound like an alarm clock to her. It's so hot in Hollywood that Metro is shooting the Nelson Edgewood picture, "The Green Years," in a Florida. Eddie Robinson tells me she's seen "The Sea Wolf" so many times he thinks he has water on the knee. There's a comic producer the one with a studio in his hat who has so many infants in the fire he wants to open up a laundry.

Meats Department

Do you think E. M. L. songs will be back Harold Tene slickers? Teddy Powell has such a vivid imagination that every time he plays 'High On a Windy Hill' he gets a nosebleed from the altitude. The music will probably be "Out of This World".

Raido Department

Oscar Levant knows a credited radio comedian who has his Crosby rating tattooed on his chest so that when he goes to the beach, people can see how well he's doing. Definition of a radio star: A comedian who works with a straight man and the straight man gets the comedian's salary.

There's No Truth to the Rumor

That John Barrymore has sworn to stop sleeping hours... That Margie Hart played a benefit for the Teachers-Parents Association... That Jack Durant is jealous of Clark Gable... That "The Watch on the Rhine" is a Bulova.

Observation Department

Just found out what bigamy is: Two mothers-in-law. Joe Prisco, who's still in Florida, wires that he's training six electricians to work for him. He has a date with Peggy Hopkins Joyce. En route to meet her, his car broke down, so he says: "I'll get there in 24 hours, don't marry until I get there."

Knock a certain hamula legit actor who has played so many times how he carries his own water while comedian Joe E. Lewis has been promoted. He was just from social security to social director. When Murray Bernie, the writer, took the program for the draft, he told me that he couldn't see very well. The medico replied: "Don't worry, you'll put up front so you won't miss anything." (He is now rehearsing at Camp Upton.)

Everedapped at Ruby Foot's: "She looks like five miles of bad road." Everedapped at Cate Yron: "Why he's carrying a torch, for an alcohol cure!"

Definition of a radio star: A comedian who works with a straight man and the straight man gets the comedian's salary. There's No Truth to the Rumor That John Barrymore has sworn to stop sleeping hours... That Margie Hart played a benefit for the Teachers-Parents Association... That Jack Durant is jealous of Clark Gable... That "The Watch on the Rhine" is a Bulova.

Whatever Became of...

Where's the Girl? Alice Queens Ryan & White George Youmans & Litzler Sime Nears & Lovengren Sisters The Runaway Four

I think it was very nice of Loe's Studio to allow me to play the Paramount this week.

L. A. to N. Y.

Wayne Ball, Mary Dan Bernard, Joe Egan, O. Henry O'Brien, J. V. Daley, Virginia Dale, Mary Dore, Brian Donlevy, Gene English, Walter Catlett, Al Hall, Dr. Herbert T. Kalmus, Sam Katzman, Arthur W. Kelly, Patricia Lee, George Stron, John McGowan, J. F. Marquand, Gene Lewis, Jake Milstein, James Mulvey, M. J. Conner, Bob Reynolds, Lynn Root, Jerome Stron, Sam Spewak, Anna Stenach, M. J. Conner, Martha Tilton.

N. Y. to L. A.

Bud Abbott, Ned F. Agnew, Macdonald Carey, George Costello, Court Courant, Everett Crosby, Donald Friele, Florence Green, Francis Harmon, Mary Dore, Jack J. Lewis, M. J. Conner, John J. Conner, Marian Spitzer, Harlan Thompson.

SAILING

June 20 Gardner to Buenos Aires Ed Gardner (Brazil).

TIBBETT CANCELS DATES UNTIL

Lawrence Tibbett has cancelled all engagements until late fall and will summer at his home in Connecticut and June 10 in October where one was scheduled to make appearances at the Buena Vista season, at the Buena Vista, Hungarian, imported by the Met last year to replace the ailing singer, left by plane Thursday (5) in his dead.

Tibbett's next engagements are set with Gaetano Merola's San Francisco role of Yago in October where he is scheduled to re-create the title role of Yago's Simon Boccanegra of California. Tibbett has generally considered his summer cancellations a benevolent decision following a disappointing reception from press and public on his return to the Met, and on tour with that organization last winter and spring. It was stated that the baritone had not completely recovered from an illness which had stilled his voice for nine months and further rest is understood to have been prescribed by his physicians.

Lynn Fontanne's Poem Reading for Brit. Relief

Madison, Wis., June 10. Local branch of the British War Relief Society has announced a reading by Lynn Fontanne of "The White Cliffs of Dover" poem written by Alice Duer Miller, on July 12 at the Memorial Union Theatre. Alfred Tunt will appear on the special benefit program.

JESSEL READING MUSICAL

Hollywood, June 10. George Jessel is here for 10 days to work on the new musical he puts into rehearsal in "You're Only Human" Sophie Tucker will have the femme lead.

Morris, Selznick and MCA Agencies Suddenly Hot on Literati Depts.

Three of the country's major talent agencies are suddenly enjoying great interest in the literati field. All are enlarging or strengthening their divisions to handle sales of manuscripts for book and magazine publishing.

William Morris office took the initiative several months ago when it brought Het Mairle from the Coast to New York to head the publishing end. He also handles the eastern contacts on sales of story properties to films.

Myron Selznick on Monday (9) added Horace Kelland, son of Clarence Budington Kelland, to the New York staff, in charge of a literati division exclusively. Selznick agency has never before had a department handling authors' representation for film and magazine publishing. Kelland will work under Miriam Howell, who was recently named head of the New York office.

Kelland was formerly almost defunct. Miss Howell will continue to take charge of film sales, as well as radio and talent on the eastern end. Kelland was formerly an associate editor of American magazine.

Music Corp. of America has taken no active steps yet to build up its literati division except to put out feelers for a man to head it. Company is understood to have made an agreement with the senior editor of a major film company for the post. MCA has had a literati department in operation for some time under Martin Jurow, but he has accepted in the picture-sale angle.

Paul Lukas, who has worked for several months supervising the increased activity of the Manhattan office, is returning to New York 10 days ago. Donald Friede, who is in charge of the agency's literati department on the Coast, plans west today (Wednesday) after a couple weeks in New York renewing contacts. Joe Graham, of the Coast radio department, who has been in New York for the past three months, returned last week and was replaced by Bob Longnecker, also from the radio division. Longnecker plans to remain in New York all summer.

Nothing Tangible in Film Industry at the Moment For James J. Walker

New York's former Mayor, James J. Walker, amplifies the recurrent rumors about his return to the picture business as something which may not yet come to pass.

The idea of his becoming some sort of trade arbiter in exhibitor-distributor relations probably started in his pioneer days when he first organized the Motion Picture Theatre Owners Ass'n of New York, during his Albany, N. Y., days in the state legislature. It was for that reason Walker was invited to attend the current week's MPTOA convention in Hollywood but he turned it down because of his present position as exhibitor leaders group better known to you with current problems than does he.

During Walker's stay on the Coast some time ago, he heard of the production on all sides, especially during the period that Joe Brown was readying to depart from the Hays office as production code administrator.

George Jessel, his personal pal, also got RKO interested in a film biog on Walker's life but after its Coast agent took it upon himself to help the independent producer in the studios, Walker decided that eventually he would do a book himself, and called it off.

Right now, says the ex-Mayor of N. Y., he is busy as trade arbiter of the picture industry, and has his hands full, which was another reason for not being able to accept the exhibitors' invitation for a trip west.

PAUL LUKAS SUEED ON 4G LOAN CLAIM

Benjamin Blumenthal, assignee of the Theatrical Industry Co., Ltd. of Hungary, filed a \$33,922 suit in N. Y. supreme court Friday against legit and film actor Paul Lukas. Action seeks recovery of monies claimed to have been loaned to Lukas in 1934 and 1935.

Amount sought is about \$33,922, as traced from the Hungarian.

Henigson East to Greet Capt. Roosevelt in N.Y.

Hollywood, June 10. After a stopover in Chicago for a reunion in Mills Sound activities, Henry Henigson, late general manager for James Roosevelt's Globe operations, continues on to New York to discuss details with Capt. Roosevelt, due in N. Y. from Lisbon by liner later this week.

Following his official report to the President on his world-fircling mission, Capt. Roosevelt is returning to the Coast by the middle of next week. He left here April 7, shortly after his marriage to the late government observer in war zone.

Downey Signs Negrette

Before actor George Negrette shoved off for Mexico City recently to make a picture, he was for four weeks, he signed a managerial contract with Wally Downey, general manager American, long a resident of Rio de Janeiro.

Downey is lining up Latin-American talent under his wing.

Gertie in Strawhat

Boston, June 10. Gertrude Lawrence is now directed to star in "Today We Live" by John Van Druten, during week of Aug. 18 at Cape Playhouse, Dennis, Mass., co-starring with Philip Morris. Miss Lawrence's husband, Richard Aldrich, operates the Playhouse.

"Today" has not been presented herebefore in America, but Miss Lawrence played it in London (1932) with the late Sir Gerald DuMaurier.

Possible Shortwaving of Programs to South America By NBC Eagerly Awaited

Buenos Aires, June 10. Possible regular short-waving of U. S. danceband programs to South America, a move eagerly awaited here not only by local swing fans but by musicians generally and even by American officials who agree that Vanuety editorial of some time ago that it may be as effective a DX good-will builder as anything yet devised. Swingsters and music biz execs saw as players are particularly hepped up on the idea, pointing out that if regular programs—hearable at a specified hour on easily tunable stations—are spot here it will do much to speed up the whole S. A. field of popular music.

Aside from the local tangos, it's explained, everything else including the conga, rumba and samba comes (Continued on page 46)

Leslie Howard to Direct-Star Anglo Pic on the Spitfire

London, May 22. The George King-John Staffing production, "First of the Few," will have Leslie Howard both directing and starring the star film around the life of the creator of the Spitfire plane. Howard has just completed a similar dual assignment for British National Films. "First of the Few" is expected to roll in Denham studios in about one week. General Films will distribute. David Niven had been talked for by the King-John team in the event. Howard turned it down.

This switch on the John Corfield production has been a surprise. (Continued on page 46)

ELLA FITZGERALD INTO ABBOTT-COSTELLO FILM

Ella Fitzgerald has been signed by Universal Pictures for a part in the Abbott and Costello comedy "The Cowboy," which goes into production June 30. Singer's band will not be included in the picture. She is to work with the band each evening.

Deal calls for Miss Fitzgerald to appear in "The Cowboy" singing. She'll be cast as a maid.

General Billy Mitchell May Now Be Film-Biographed

With the growing realization of the importance of a strong air force to any nation's military machine, two film companies have become interested in doing a celluloid biog of General William "Billy" Mitchell. Mitchell was court-martialed out of the army some 15 years ago for his persistent claims in articles and interviews that the War Dept. was not giving sufficient attention to aviation. He advocated creation of an Army Air Corps.

Companies who have signified their interest in Mitchell are 20th-Fox, which has registered the title, "The Life of Brig. General William Mitchell," and Edward G. Robinson, registered "Major General William Mitchell."

(Continued on page 24)

PAN-AMERICANISM VIA BROADCASTS

That Queers It

Hollywood, June 10. Hookup between Howard Hughes and Leo McCarey for the production of "Queer People," a tale of Hollywood foibles, is all washed up.

McCarey has worked for weeks on the story, but cutting arguments with Hughes broke off their association.

H. M. Warner Connecting Westchester Estate Into \$2,500,000 Realty Project

On the heels of Adolph Zukor deciding to convert his New City, N.Y., estate (745 acres) into a realty development, the Harry M. Warner estate in Mount Vernon, N.Y., will also become a \$2,500,000 garden home development. It will consist of 60 two-and-three-story homes patterned after the historic Williamsburg, Va., structures as recently re-created by the Rockefeller family.

While the Warner estate covers 20 acres, only 25% will be utilized for the actual new building. The balance will be devoted to landscaping, recreational areas, park and tennis courts. A rezoning for necessary re-zoning has been made by the Westchester County common council at Mt. Vernon.

H. M. Warner, president of Warner Bros. Pictures, Inc., was making his home on the Coast.

In the same Westchester sector quite a few two-and-three-story homes have established permanent homes. Most recent, was Barney Balaban, who bought a waterfront shopplace, The Anchorage, on Brevoort Lane in Greenhaven, at Rye, N. Y. Main house comprises 10 rooms.

WB sales chief Grad Sears and his aide, Carl Leserman, are among regular commuters in the Harrison and Rye, N. Y. sector; also Arthur Lee, former head of Gaumont. British-born George Sears had two homes in Westchester, one of them (on Long Island Sound) recently razed by fire. Spyros Skouras is another Westchester home-owner.

WB Seals Sutherland

Hollywood, June 10. A. Edward Sutherland and Warner got together on a term directing contract for the event. Howard turned it down.

Pilot checked in at the studio several weeks ago to handle "Nine Lives A Cat Walks On" on a one-picture deal with options.

Boris Said, Czár's Emisarry to U.S.

Boris Said, 58, one of the strangest figures on Broadway, died in his car of a heart attack last Thursday night. Said was an operator, 44th Street theatres and participated in the backing of a number of productions. He liked Oil building in New York in show business, so his name never appeared in the billing of the production. He was an operator, coming here from Russia as a representative of the former Czár Nicholas II. Said's name never returned to his native land.

Said spent most of his days in offices in the Standard Oil building in downtown Manhattan. Inside reports are that his name may crop up as go-between for Dr. Carl Reith, German under-cover agent arrested and now held at Ellis Island for deporting him proceeding. The name is supposed to have been the contact (Continued on page 24)

Argentine Mag 'Suspects' U.S. Zeal On Pan-Americanism, Links Yankee Films-Radio-Press to Biz 'Scheme'

Buenos Aires, June 10. With the statement that "we chastise those who do not give you," Sintonia, Argentina's leading film and radio magazine, double-pages an open letter to Douglas Fairbanks, Jr., now touring South America as a good-neighbor envoy, warning that the current U.S. "Goodwill Drive," especially via films, radio and the press, "has taken on the characteristics of a spiritual blitzkrieg prepared in the arsenals of Yanqui adventurism."

Magazine, which is consistently friendly toward the U.S. but hesitates to pull its punches when it believes it's right, says that there's more than a suspicion of "business behind cooperation talk" and that it's a "dark future."

"When the Yanqui cine makes good pictures of Argentine locales and atmosphere with Argentine themes and actors you legitimately demonstrate your true love of Argentina," the magazine says, "but you strike a chilling blow at the Argentine cinema."

It further states: "When the shortwave programs of CBS and NBC are in the hands of Argentine experts instead of being (Continued on page 47)

WHEELER CLICKS IN MONT'L LOAN TALKS

Montreal, June 10. Making personal appearances here Wednesday, Norman Shearer collected a crowd estimated at 75,000, the magazine says, for the Royal visit in 1939, in support of the Canadian Victory Loan. Shearer was accompanied by Les Peterson from the Metro studio, Dewey Elliott, former Canadian representative, met her in Montreal.

Miss Shearer made a special hit by conversing with the French language newspapermen in fluent French though her address was in English.

Bing Crosby Doing Long Stretch of Phonograph Recording for Jack Kapp

Jack Kapp, president of Decca, returned to the Coast early this week, this time for a month of intensive recording. Bing Crosby and more than a dozen other studio artists, now in and around Hollywood, who will only do his studio when the company is on the premises, is due for a long vacation, and for this reason, passing up doing a recording for Decca for 20th-Fox. Instead he will work intensively.

Kapp figures on some 200 pressings all over the country for Decca, about twice the normal summer session.

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DAILY VARIETY

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Emergency Calls for Entertainment In Coast Camps Get Quick Response From H'wood; Agents Routing Units

Hollywood, June 10. By air, railroad, bus and private motor, the players of the film industry are invading the Army camps of California, as result of urgent appeals from the War Dept. to entertain the young soldiers in training for the National Defense program. First of the emergency amusement calls was from Camp Roberts, San Miguel, Cal., Sunday, resulting in a hurried outpouring of talent from all possible angles of the show business.

The 250-mile trek were Jane Withers, Buddy Papp, Ella Logan, Red Skelton, Laurel and Hardy, Mattie Starkey, George O'Brien, Borrah Minnivich and his Harmonica Nascals and an orchestra. From San Francisco came Jimmy Durante.

General plan to entertain the boys in uniform was adopted by the Artists Managers Guild at a meeting to round up the amusement forces of the film industry. The committee for that purpose is headed by Charles K. Feldman, as chairman, with Abe Greenberg and Bert Allie as associate sociates. Details of the organization are being handled by William Dwyer, who is routing film talent by maintaining his bureau with the Feldman-Bundy agency.

Sunday (15) Show
Following the first talent bombardment at Camp Roberts, another two-day bill-combination was shown on Fort Ord, Monterey, Cal., next Sunday (15). Dropping humorously dramatic comedy for two-hour show will be Jack Benny, Claudette Colbert, Ritz Bros., Andrews Sisters, George Formey, Jimmy Durante, Maria Raye, Burns and Allen, Dick Powell, Joan Blondell, Nicholas Bros., Jane Bryan and the Frantony and the girls from the film studios, all directed by Mark Sandrich. From that time on, name players who are between pictures or available over weekends will be drafted to entertain a series of two-hour camp shows.

Artists Managers Guild donated a fund of \$8,000 to start the idea of a dramatic comedy for two-hour show with the expectation that the picture studios will turn in similar greater assistance in covering transportation, musicians' wages and other expenses. Work will be organized as an independent division of the United Service Organization, of which Y. Frank Freeman is chairman. Hollywood and Edward Arnold chief of talent.

Eastern Call
From the eastern sector came a call on headline line by William Morris, Jr., and Robert Sherwood, heads of committees along the Atlantic seaboard. First among the summons will be Allan Jones, who is being transferred to Fort Bragg to join the unit at Fort Bragg.

Radio is going along with pictures in building up morale, as far as possible, in connection with the War Thompson, representing Standard Brands, has been providing all talent in California camps. In addition to the regular broadcasts there have been appearances of Edgar Bergen, Bob Hope, Abbott and Costello and other topliners who have hoped to find emergency calls for their services.

Program calls for directors and writers in the film industry to outline original scripts and hand the boys in the camps a lot of show business body has ever heard before, on stage, screen or radio. Seven programs are being arranged to be first in the western camps and subsequently booked in to the midwest and east.

Bell Tolls for Wood

Hollywood, June 10. Sam Wood draws the director's attention on Paramount's screening of Ernest Hemingway's best-seller, "For Whom the Bell Tolls," starting with the title "For Whom the Bell Tolls" at Warners.

Following the Hemingway yarn, Wood is slated to produce and direct "Miss Susie Slagle's" on the Paramount lot.

Los Angeles, June 10. Myrtle Louise Stoneiser, writer, known professionally as "Louise Howard," filed suit in U. S. District Court for \$100,000 against 20th-Fox, charging the studio infringed on her story, "Women Hole," in its picture, "The Women." Plaintiff asks \$100,000 damages, plus punitive damages of \$25,000.

Suit for \$150,000 against Ben Dolberg was filed here by Ben Dolberg, who charges misappropriation of literary property. Author developed the picture, "Quarterback" was lifted from his story, "The All-American Boys."

Los Angeles, June 10. Joe Pasternak is negotiating a new studio connection, effective after he checks off the Universal lot on contracts for the Deanna Durbin character, "Almost an Angel." Pasternak has been with Universal 10 years and has produced all 10 of Durbin features. "Angel" winds up in about five weeks.

Los Angeles, June 10. Joe Pasternak has several offers, including one from 20th-Fox as chief of his own producer unit. Paring with Universal was announced. Pasternak started with Universal five years ago at just \$3,500, and it is up to about \$3,500,000.

DIETRICH'S DEFENSE TO FRENCH FILM SUIT

Los Angeles, June 10. Marlene Dietrich filed an answer in N. Y. federal court Friday (6) to \$84,450 suit by Forrester-Parant Productions against her. The 62-year-old actress denies the claim breach of a contract made Oct. 15, 1938, to make a film in France for the plaintiff. She also claims a separate defense, asks for a dismissal of the action.

Miss Dietrich makes four separate statements regarding her failure to make the film. First she says the picture was to have been made in France, but she claims that plaintiff suggested. Secondly, it was to start shooting no later than Dec. 15, 1939, and the Italian film could not have gotten under way before February, 1940. Thirdly, she declares the contract could be rescinded by "force majeure," which was the present war. It is claimed that since the actress was in disfavor with the Nazi government, to have made a film in Italy would have placed her in a serious danger, if Italy had seen fit to turn her over to the German authorities.

Jack Forrester, American half of F-F, is currently in Hollywood.

Rosalind Russell Award Over Selznick Sustained

Hollywood, June 10. A Superior court upheld the decision of the Arbitration Board in its award favoring Rosalind Russell over the Myron Selznick Agency. The award was made after the actress vacated, after arbiters ruled the agency was in breach of contract. Selznick as her agent, contacted a Young Hazard was not qualified as Selznick's agent since he handled no legal affairs, including her new agency deal, with Frank Vincent.

They Have Them There, Too!
Edward Dmytryk draws the chore of directing "The Blonde From Memphis" slated to roll this week at Columbia.

Jack Fier is producing.

Lean Pickings for Extras

Hollywood, June 10. May jobs for extras in the film industry did a parachute jump, in conjunction with other months. Total placements for the month were approximately 16,000, as compared with 1923 in May 1940, or 33,480 in April, 1941.

Total earnings, based on an average of 111 a day, were about \$175,000, compared with \$384,785 in April, and \$236,084 last May.

FOX-WEST COAST'S TRAP ON BICYCLING PRINTS

Los Angeles, June 10. Fox-West Coast Theatres has served notice on all Los Angeles exchanges that there will be no more tagging or bicycling of films in this district. Exchanges have been notified that they must have enough film to supply all bookings in the future.

Both circuit and independent owners have been kicking about the shortage of prints. With the increasing number of theatres in this district during the last few years, the shortage has become acute. The reason for the trouble is due to the New York home office methods of operation.

Esper Fined, Freed For Shipping Lewd Records

Los Angeles, June 10. Found guilty of interstate shipments of lewd matter, Dwain Esper, former independent film producer, was fined \$500 and placed on three years probation by the U. S. Circuit Court.

Case involved the sending of phonograph records via Railway Express to Terre Haute, Ind. Probation was granted on two of three counts in the indictment.

Over the Lingular: Jumps

Hollywood, June 10. First starlet for Alberto "Fili" South American actor, under his new contract with Paramount, is "The Girl in the Blue Bus" which was a musical with an Argentine background.

His original assignment, "Hula Honeyroom," has been deferred until he gets a better grasp of the Yankee lingo.

THAT'S RIGHT, OTT'S WRONG

Boston, June 10. Mathew Ott, who up to 1938 wrote some 70-odd plays for theatres in small New England towns, is back in the Keitt's Massachusetts Court for damages for using the title, "That's Right," in a play. The play was produced by Radio Pictures produced a film by that name starring Kay Kyser. Ott in 1919 wrote a play which was at first called "Alas Poor Yorick," which was changed later to "That's Right; You're Wrong."

The Supreme Judicial Court ruled that since the public no longer remembers either play, Ott could not claim the use of the title nor recover damages.

Other News Pertaining to Pictures

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- Push U. S. prod. of foreign pic..... Page 12
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- Radio reviews: Milton Berle, Ed Sullivan, 'Claudia,' Connie Bowell, Hartman..... Page 26
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Authors League's Support to SWG, When and If, of Pseudomatic Value

2 Studios Called Pirates

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JACK BARRY, VETERAN IN PAR, QUITS THE CO.

Los Angeles, June 10. Jack Barry, with Paramount in New York for many years, has resigned and will probably make future plans known shortly. In various posts over the years, he was in charge of the so-called non-theatrical division when resigning, this department being a part of distribution which handles the sale of all to school, the Army, Navy, and plus all 16-mm product placed on the market by Par.

When Par was formed more than 15 years ago, Barry took charge and was instrumental in the organization of the Public Managers Training School, set up by Par for systematic schooling in theatre management. The school has a number of highly-paid managers, many with Par, others now aligned with other circuits, came out of that school. Among the grads was Bob Weitman, now managing director of the Paramount.

There will be no successor to Barry in Par. The work of taking care of the equipment he has used several years will be passed around to others now in distribution.

Screen Writers Guild At Peak With 950 Members

Hollywood, June 10. Highest membership in the history of the Screen Writers Guild, 950 active and associate in good standing, was registered at a meeting of the executive board, covering the new entries in the last year.

Guild was said by the board to be in the healthiest condition since its organization. Heavy majority of the membership is up to date on its dues, and many have laid it on the line in advance.

Arnold in R-Ko'd Role

Hollywood, June 10. Edward Arnold checked in at RKO to play the role originally assigned to Thomas Mitchell in "Flesh and Blood" which he titled "The Day Who Came to Dinner." Warner Bros. is named defendant because of the "Murder Issue" in "Flesh and Blood" play, but should the picture be made and released, an accounting against Warner Bros. is asked.

Plaintiff claims he and Monks wrote "The Murder Issue" in 1935 and submitted it to the Warner Bros. Kaufman and Hart. It was accused of having written the alleged plagiarizing play. Details of having produced it and Random House having published the play. Monks is named a defendant because of the "Murder Issue" and is refused to join McCann as a plaintiff.

'Foxes' Catch Bette

Hollywood, June 10. Bette Davis, recovered from illness and production arguments, returned to work at the Samuel Goldwyn studio to resume the star role in "The Little Foxes."

Much of the work was devoted to wardrobe fittings and rehearsals, under direction of William Wyler.

20TH SCRIBES SET

Hollywood, June 10. 20th-Fox assigned four scribes to work on three screenplays for late summer production. Adrian Scott is laboring on "Private Secretary" with Ken Englund on "Double or Nothing" and Robert Firosh and Joseph Schrank on "Song of the Islands."

Authors League of America and its various groups will act in support the affiliate Screen Writers Guild in any battle with the Hollywood producers. The organization decided last week. League council, including representatives from the Authors League, the Screen Writers Guild and Radio Writers Guild, held a lengthy meeting at which the issues in the SWG-publisher dispute were studied. Full support was voted to the scenarists.

Big question mark in the League's move is just how concrete or effective any such help could be. According to certain of the League council members, written material help the organization could give would be moral support. In case of SWG action, the League members would naturally hope to tie up the supply of all written material to the studios. Thus, they would like to persuade authors not to sell their novels and short stories for screen adaptation, or to accept scripping assignments in Hollywood. Similar moves might be attempted as to dramatists and radio writers.

Grated that authors from the book and mag, dramatic and radio fields might not accept scenarist jobs to ruin their right to the SWG, it would still be an extremely difficult and complex matter to stop copyright members of written material to the studios. Reason is that in most cases there is divided ownership of the copyright. The publisher has a share in the rights to novels and mag stories, the producer has a share in the rights to plays and the sponsor or producer usually has a percentage of radio rights. The SWG would like to see the publisher's right to withhold the sale of his material when he owns only a share of it (regardless of the amount) is admittedly in the air.

6-8 WEEK PREVIEW LEEWAY TO COAST CRUX

Hollywood, June 10. Film critics and a committee representing the motion picture industry reached an agreement on local reviews, giving the Hollywood Bureau in "The Day Who Came to Dinner" before release, wherever possible.

New plan will give the magazine companies more time to study their stuff before the pictures are shown to the public.

'Dinner' Play Claim On Kaufman, Hart, Et Al'

Vincent McCann, writer, filed suit Friday (6) in N. Y. federal court against George S. Kaufman, Moss Hart, Y. Frank Freeman, James Monks, Random House, Inc., and Warner Bros. Pictures, Inc., seeking an injunction, accounting of profits and damages against all defendants except the film company, for the alleged plagiarism of his play, "The Murder Issue" in "Flesh and Blood" play, but should the picture be made and released, an accounting against Warner Bros. is asked.

Plaintiff claims he and Monks wrote "The Murder Issue" in 1935 and submitted it to the Warner Bros. Kaufman and Hart. It was accused of having written the alleged plagiarizing play. Details of having produced it and Random House having published the play. Monks is named a defendant because of the "Murder Issue" and is refused to join McCann as a plaintiff.

Sherman's Puitzeriana

Collection of personal letters of Joseph Pulitzer, owned by Al Sherman, Columbia's short subjects publicity chief, may become the basis for a film blog of the noted publisher. Sherman owns boxes of letters and memoranda of Pulitzer, which he acquired from a junk man after the publisher's death. Sherman was merged with the New York Telegram in 1931.

PAR PUTS FIVE PIX ON BOB HOPE'S SLATE

Hollywood, June 10. Bob Hope's new contract with Paramount calls for co-starring with the top names in three pictures. In addition to his two jobs under the old pact, "Louisiana Purchase" and "The Farm."

When he has finished these two, his program calls for co-starring with Betty Crocker "The Road to Morocco," Jack Benny in "We Want a Girl Friend" and Madeleine Carroll in "Her Perfect Match."

Papers Ready for Signaturing To Wind Up Par-Sparks Deal

Full accord is understood to have been reached in the deal under which Paramount acquires the interest of F. J. Sparks in the Sparks-Par circuit in Florida, and papers may be prepared for early signing. That being okay by the end of the week, all details under the transaction largest in theatre circles in many years, having been ironed out. This will probably mean an instant huddle with Warner Bros. to spot its film in Sparks houses which shut it all out nearly two years ago due to inability to get together on terms. Pending the final signaturings of the Par-Sparks deal, Par has not approached WB in any way, preferring in all probability, from observation, not to jump any gun.

However, there is practically no likelihood now that the necessary signatures and transfer of control will suffer an upset in price and all the many other stipulations under the acquisition of the Sparks houses have been agreed upon. Contract of sale, which has been in work for about two weeks now, will be available before a Paramount board for approval at the next scheduled directors' meeting, June 16, unless an earlier session is especially held for the purpose. Par is paying slightly over \$1,000,000 for the 40% interest held by Sparks and his relatives, this giving Par 60% control, while 10% remains outside with Sparks' executives who stay with the circuit.

These are Fred Kent, general counsel, and Frank Rogers, general manager of the circuit department, buying, including the man who wars in New York last week tying together loose ends on the Par-theatrical deal, which was consummated Sunday (8), but will return Friday (13). Sparks may also come up this week.

Leonard H. Goldenson, in charge of all Par theatre operations, returns to his desk on Wednesday, a period where he is attending the convention of the Motion Picture Theatre Owners of America. He's flying in.

RKO Asks Court To Sustain Dismissal Of Ailing Pommer

Los Angeles, June 10. RKO asked Superior court to uphold its right to discharge Erich Pommer, producer, on the ground that the contract gives the studio the right of dismissal in case of any illness lasting more than three weeks. Pommer, who was hospitalized from Ill from April 17 to May 20. Producer, whose contract runs to March 31, 1942, contends the document null in the event of illness. Productions, 'Weekend for Three' and 'Unexpected Uncle', have been assigned to others on the lot.

WELLMAN HEADS USO FUND DRIVE IN H'WOOD

Hollywood, June 10. William Wellman was appointed chairman of the United Service Organizations drive for contributions in the Hollywood area. His appointment was made by Edward Arnold, chairman of the Motion Picture Producers Permanent Charities Committee.

Members of the new committee is to raise funds for recreation centers at Army and Navy cantonments. Arnold, representing the Screen Actors Guild, King Vidor, Screen Director's Guild, Ralph Block, Screen Writers Guild, Ben Alberty, Artists Managers Guild, and Samuel Goldwyn, Producers Association.

The A-Mugging

Hollywood, June 10. Special picture for the 20th-Fox sales convention in New York, opening July 14, is being produced under personal supervision of Harry F. Zannick, who turns actor for the occasion, along with William LeBaron, Ernst Lubitsch and Mark Hellinger, new producers on the lot. Idea is to let the producers tell their plans for the complete program. Picture also shows screen tests and excerpts from picture in production.

NIX 'UNDER AGE' (COL. IN DET., AS 'IMMORAL')

Detroit, June 10. Since putting the ban on 'Primrose Path' and 'Strange Cargo' a year ago to provoke a national controversy, the police censorship department here has looked with kindly eyes upon the Hollywood product. However, censorship saga reared its head when Lieut. Charles W. Snyder refused to pass Columbia's 'Under Age'.

As on the previous picture the ruling is that the film is 'basically immoral'. It was the first complete rejection in over a year, and as before, Police Commissioner Frank Eaman has indicated that the ban will stick. It was said that cutting would save the film. While the censorship office only to Detroit, the practice here has been for other groups throughout the States to follow the recommendations. Snyder, Windsor, Ontario, however, works contrary and last year the nearby Canadian town pulled a big business out of Detroit by advertising that the banned pictures were playing there.

Balaban, Zorko, Griffis, Heading West Next Week

Barney Balaban will be in Toronto Monday (10), return to New York immediately for the annual stockholders' meeting of Paramount next Tuesday on Wednesday (18), under present plans, leaves for the Coast in company with other executives. Agnew, in San Antonio for the Interstate and Texas Consolidated theatre convention, followed by several exchanges, returned to N. Y. Monday (9) and the night flew to the Coast to screen pictures that are ready so that he might discuss them at the district manager meeting in San Antonio, which he will attend, accompanied by Bob Gilliam. Letter is now on the Coast. Balaban goes to Canada Monday (10) for the district sales meeting for all of the Dominion to be held there at the home of the president of Dal Goodman, recently appointed head of all Canadian sales as successor to Maurice A. Milligan.

KEY DEETS 'CO'S' POLICIES

Sales Chief, Now Top Executive of United Artists, Says the Firm Has Enough Producers (With Selznick-Capra. Counted on) But 'More Pictures From Each' Is a Must

ACTIVE CONTROL

'United Artists must learn new tricks in order to survive,' vice president Arthur W. Kelly stated Monday (9) in revealing a number of important switches in policy and operation of the company. Kelly, who weeks ago succeeded Murray Silverstone as operating chief of UA, arrived in New York over the weekend from two weeks of huddling with the owners and producers on the Coast.

Asked from Frank Capra and David O. Selznick, with whom UA is now negotiating, Kelly said, UA is seeking to get more pictures from each. It would be desirable but it isn't essential. 'We have changed our aim,' he declared. 'We have enough producers. What we need are arrangements to get more pictures from each. It would be desirable but it isn't essential. (Continued on page 47)

18 UA PIX FOR '41-42 SELLING

United Artists will have approximately 18 pictures for 1942 release, of which four important ones will be issued during the summer. They are 'The Kelly' operating chief. Among the pix will be a re-issue of Charles Chaplin's 'The Gold Rush', with a re-ora to be added by the producer, for release next Jan.

Kelly said that the product lineup will probably be ready at the end of the week and the company may begin its twice-postponed series of regional sales meetings next week. Every effort for speed is being made so that salesmen can get out at once with contracts and fountain pens.

Pictures for the summer, Kelly said, will be 'International Lady', which Edward Small will have finished in two weeks; 'Delator', to be released around Labor Day; 'Three Cockeyed Sailors', an English import which UA believes to be a disaster; 'Wine', William Sekely production, for release Aug. 8, and 'Tudis', Alexander Korda's \$1,000,000 deluxer, to be released around Labor Day.

In addition to the new season's product, there are approximately 100 number of powerful spring releases, such as 'That Hamilton Woman', which Kelly is getting into subsequent during the headline.

Chaplin isn't bent on working, Kelly said, and has three stories in mind. Foremost is 'Napoleon', although he stated that he would take an opportunity time to make such a film, Chaplin has an idea of making a film getting into subsequent during the headline. If he takes the latter course, the picture will definitely be for 1941-42 release. Kelly.

In scoring 'Gold Rush', originally released in 1925, Kelly has a plan of his own. 'It will not be a re-issue of the film as it was added as if it were done in 1925 to preserve the original flavor of the picture.'

Among the product on which Kelly is counting is at least one of the new season's product. It owes the company under his old agreement. There will also be two other films, 'The Sign of the Cross' and 'Korda. In addition 'Strange Victory' will be delivered as promised on the 1940-41 contract, but around October.

Studio Unions Threaten Mass Suits to Pry Open \$3,000,000 Back Pay Jackpot; Hint Compromise

Godfrey Wins His Chair

Hollywood, June 10. Peter Godfrey moved into a full-fledged directors' job at RKO on 'Unexpected Uncle' after serving his time as an actor and dialog director. He came originally slated to direct, has shifted into the producer berth, owing to the illness of Eric Forman, original producer. Filming starts June 15, with Anna Shirley and James Craig in the leads.

CONG. COSTELLO MAY SUCCEED JOE BREEN

Hollywood, June 10. Likely successor to Joe Breen as the Hays office Production Code Administrator is Congressman John M. Costello of the Hollywood district. Will likely by picture people he is strongly backed by Legion of Decency and Catholic Church leaders. Though little known to the public, he is figured that with the help of Breen's aid, Godfrey Shurtok, he should have little difficulty getting into the swing of it in a short order.

Although producers were working on Breen to have him continue at the Hays office, it is determined to get working officially so he can attend the RKO convention in New York next Monday (16) in an official capacity as studio operations head. He flew to Chicago Saturday (7) to secure his release from Will Hays, who has hospitalized there. Breen is hopeful his successor will be officially chosen this week, so he can help out in the interim. He has just started on the RKO job due to the scope of its duties and financial considerations.

BIOFF WILL GO EAST 'WILLINGLY'

Willie Bioff, post bonds, June 10. 6000 Bioff, who has a long record of 1930-31, was reported by promoter David B. Head that he would appear in New York Thursday (12) to answer an indictment charging him with the retention of \$50,000 from four motion picture companies. Jointly indicted is George E. Brown, currently at liberty on \$20,000 bail. Bioff was scheduled for a removal hearing June 5, but appeared ahead of time and stated that he would accept any opposition to a shift to New York. He declared his innocence with the assertion he would not face the charges now rather than have them dragged out over a period of time.

Zorina in Par's 'Purchase'

Hollywood, June 10. Following the purchase of the Paramount assigned Zorina to the screen version of 'Louisiana Purchase', playing the same role she has in the Broadway musical. Acting reports at the studio early in July.

Hollywood, June 10. Business representatives of studio unions are recommending that mass suits be filed in Federal court in an effort to pry the mythical \$3,000,000 back pay jackpot, which they claim has accrued under the 40-hour week provision of the Wage-Hour act. The recommendations were decided upon after Merle D. Vincent, chief of the hearings and exemption section of the Wage-Hour Division, announced the classification of 545 types of employment in the film industry will become effective Monday (16).

Representatives of the 10 studio local of the International Alliance of Theatrical Stage Employees have agreed to institute suit in U. S. courts in an effort to revoke retroactive pay for members who are affected. The locals have also agreed that if a compromise is not reached, they will in order to enforce their demands on the producers, members will be permitted to work on a non-defense training picture being produced on a non-profit basis for the War Department. It is retroactive pay, however, that a compromise will be reached on the jackpot demands. The modifications provide that non-working best boys and gaffers are exempt, but that working gaffers and non-working best boys are not exempt of the act. It was also held that a registered nurse was entitled to overtime pay as a professional employee but that practical nurses and paid aid men were not entitled to exemption.

Opened to Inspection In discussing his recommendations made to the National Alliance of Theatrical Stage Employees here and which have been approved by General Philip B. Fleming, Vincent said, 'I recommend that the final inspections be made for the purpose of ascertaining whether restitution of wages may or may not be due prior to June 16, 1941, subject, of course, to the rights of individual employees under Section 18 (b) of the act.'

This recommendation is made for the following reasons: Many of the job classifications involved in the survey are peculiar to the motion picture industry. Some of them are not basically different from craftsmen to be found in other industries. The rates of pay and hours of work and functions which distinguish the duties involved from the work performed by craftsmen in other industries. Others are peculiar to the moving picture industry alone. The rates of pay and hours of work which are typical in the foregoing job classifications and in the motion picture industry are not established by collective union agreements and do not in many respects conform to standard rates found elsewhere.

Meantime the producers and company representatives are working (Continued on page 46)

MEYERS AND O'CONNOR TO VISIT U STUDIO

John J. O'Connor, new vice-president of the Motion Picture Exhibitors, and Fred Meyers, also named last week as eastern sales manager, will be in the city on Monday as part of a party by U home office executives last Friday at the Astor Hotel. They will be joined at an luncheon by the new team of executives the newcomers to New York U top officials before leaving for the West. Not known definitely when they will make the trip, but expected to be in the city on Monday and to the Coast within the next 10 days to become similarly acquainted with the studio executives.

Simplification of RKO's Corporate Setup Hears Consumption This Wk.

Simplification of RKO's corporate setup will hear actual consummation tomorrow (Thursday) as the board of directors of the Keith-Albee-Orpheum vote on the capitalization revamp. Actual coin involvements are estimated at \$500,000 or thereabouts, slightly under the \$850,000 figure, recently estimated as the amount of the Keith bonds and gain possession of additional K-A-O preferred shares outstanding including its own shares. Reorganization and re-funding means consolidation of principal theatre suburbs for RKO.

Going by stockholders tomorrow is viewed in Wall Street circles as forming a double bulk of stockholdings are in K-A-O and RKO management hands. Plan and amendments to constitution of corporation make a two-thirds vote. The \$300,000 borrowings will be employed to call in about \$450,000 worth of B. F. Keith bonds plus \$200,000 worth of Keith Memorial bonds. Also a \$150,000 obligation of Greater N. Y. Vaudeville Theatres Corp. will be paid in cash to K-A-O. Keith treasury bonds of \$1,020,000 and Keith Memorial bonds of \$1,000,000 are to be surrendered for cancellation. More than two-thirds of remainder of total goes for calling in K-A-O preferred.

Call of its preferred shares will be sought by K-A-O. In this way, RKO will bring bulk of outstanding K-A-O shares to its own treasury, saving in annual dividend payments and also gaining possession of the theatre outfit's common, bulk of which RKO already holds.

Reorganization plan reported by consolidating Greater N. Y. Vaudeville and B. F. Keith, with the consolidated company to be known as Greater N. Y. Keith Corp. Also calls for ultimate resumption of common dividends as Keith as the preferred K-A-O share situation is cleared up.

BRITISH PIX REACH CANADA REGULARLY

Washington, June 10.—Business as usual was reported on exports of British films to Canada, with war conditions apparently having little effect on deliveries from the mother country. British negatives are reaching Canada regularly, the Department of Commerce was informed last week, and English films are continuing to rise in popularity in the Dominion.

American pix, however, are way ahead of the field, with Canada's 1,350,000 copies of deliveries being showing about 90% U.S. films.

Four More Defense Shorts in Tint at WB

Hollywood, June 10.—Four more national defense shorts in Technicolor are on the production schedule at Warners, following completion of "The Tanks Are Coming" work.

Added starters are "Battle Wages of the Sea," Coast Guard Patrol, "Parachute Shock Troop" and "In the Army Now."

Edwards in Hossy Set

Hollywood, June 10.—Curt Edwards (United Artists) signed an eight-picture deal for the coming year in the Charles Starrett-Columbia Hayden war-torture contract for the 1941-42 program at Columbia.

Meanwhile Edwards is assigned to work on the remaining Starrett starters for this season.

In Training for Brazil

Hollywood, June 10.—William Holden gets his war-torture training with Stirling Hayden in "Among the Admirals," a tale of war training, at Paramount.

Filming starts when Holden finishes in "The Remarkable Andrew."

MORGAN'S ISLAND

Hollywood, June 10.—Director chore on "Mersey Island," the Grand Strand picture for Republic, goes to William Morgan, currently directing "Sunset in Siam."

Schafer and Morgan leave for Key West, Fla. This week to scout locations for "Island."

B.O. Very Chop-Chop

Philadelphia, June 10.—Philly exhibs may be having the crying towel out because of the drop there on the receipts of the industry that's having a boom season.

Edna R. Carroll, chairman of the State Board of Censors, announced that the body has reviewed 15 Chinese films since the first of the year—more than double the number of this type which it acted in all of the 1939-40 season.

The films are shown in a hall 110 Chestnut Street, the site of a chop suey restaurant. Every pic plays to standees.

With net profits for the quarter ending May 3 figured at nearly \$1,950,000, Universal Monday (8) reviewed the Chinese films since the first half of the current fiscal year at \$1,759,334, after all charges but before taxes. This compares with \$1,173,000 in the 28 weeks ended April 27. The corresponding six-month period in the preceding fiscal year. However, the company made up for the \$200,000 special amortization reserve in that period, while no such reserve was deemed necessary this year.

The profit for the second quarter made the first time in Universal history that the company's quarterly earnings had reached the \$1,000,000 mark, according to J. Cheever Cowdin, board chairman.

With the deduction of \$300,000 to cover current national Federal income taxes for the first six months Universal earnings totalled \$1,369,334, about in line with expectations. Cowdin explained that it is impossible to estimate what the excess profits tax will amount to until the year's end. A special amortization provision has been made for this tax.

Included in the first half profits are revenues blocked in Great Britain to the amount of \$189,500, computed at the present official rate of exchange.

Universal Annual Earnings 1939-40
Net profit except as noted:
(1) deficit

1930	.....	\$2,407,723
1931	.....	613,788
1932	.....	1,016,213
1933	.....	2,582,292
1934	.....	1,002,216
1935	.....	1,985,754
1936	.....	1,904,959
1937	.....	591,179
1938	.....	1,153,221
1939	.....	2,390,772

First Quarter	.....	\$257,967
Second Quarter	.....	257,967
Third Quarter	.....	257,967
Fourth Quarter	.....	257,967

First (April by Quarters)	.....	\$257,967
Second Quarter	.....	257,967
Third Quarter	.....	257,967
Fourth Quarter	257,967

(Fiscal year ends approximately on Oct. 30 or Oct. 31.)	\$257,967
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First	\$257,967
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Fourth	257,967

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Third	257,967
Fourth	257,967

(Fiscal year ends approximately on Oct. 30 or Oct. 31.)

Cincinnati, June 10.—Peter F. Rosian, branch manager for Universal here since April last, has been promoted to the position of manager for this district covering Indianapolis, Oklahoma and Dallas as well as the Kentucky area. He will headquarter here.

Rosian formerly was in Cleveland for two years. He succeeded him as Cinecy branch manager. W. A. Scully, Universal domestic sales manager, will be in Cleveland today (8) night and will likely announce any new appointments from Los Angeles.

HARVEY'S GIPHER PIC

Hollywood, June 10.—Dixon Healy has been selected to produce "The Deadly Game" for Monogram, with Barney Sarecky as associate producer.

Story, dealing with the FBI office bureau, is written by Robert E.

Manrooped to Mayo Dually in Illinois

Buck's Casting the Army

By BILL HALLIGAN
Riverside, Cal. June 10.
Mr. Happy Hemmingway, Duffly Square, New York.

Dear Happy:
I am a Sergeant Buck coming to you from station U. S. A. and they is no in and out aboutt same as I is now in the good Army and as a Recreation Director so dig up some old bits you usedt to do in those lads down south as I is at of ideas as a radio scripter. We is located at Camp Hasan with 80,000 men who whild they has gone to West Point when they was kids. I has got 20 fellows that were in the show business and I was all Belasco to here them tell same, but I never saw them before in my life so they ought to be good.

I am putting on a show this Friday night and Joe Whitehead and I has got a scripter who whild they knock them for a spot. Skins Miller and Buck Mack are managing there Syracuse vets and I was crushing up their old act but they burned up when I act them to do two dances in the show. I was the corresponding Reynolds come up and they did a bit on Hitler that had the general public for the first time since he hit camp.

We is on field ratings now and I was the corresponding 40 pounds which reminds me of the game, who went from 220 down to 110, coffin and all.

Thoughtful

We go over to Palm Springs on Sunday but we take off the uniform to go to the show. I was the corresponding English actors who are down there resting after a tough season in the movies. We into Riverside and San Berdo but all the lugs at March field has the cream of the crop on the uniform like a moth goes for an Earl Bennam suit. But it is doing all right with a certain pat what works at a drive-in over in Redlands but eating at them hamburger has no broke and brittle.

I am a chauffeur for the Major between shows and we stopped for a cup of coffee at the camp and his nob was amazed at my reception. I told him about a couple of lads from home from San Pasadena going to school at a dressmaker college sew we drove over to the camp. I was the corresponding while I went in and had a 10-minute gabfest with the boys of the show. I was at a Democracy Army show this is. I went over to the Maj's office for the camp this morning and out the lads for his mission so I am in stronger than a lifesaver with a dougier.

I has my own car at the camp as the finance company can't take a jalopy away from a soldier and out of the car has been parked in the barn when Washington sent out the S.O.S. for me. That the first brake I got from the Maj's gets my gas every day. I am in seventh heaven.

Felix Adler just called me up and he says he has a pair of new Broadway patter songs so I am going to brush up on the pipet and show up some head lines on the patter for the night. We has a couple of swell cragames and some of the boys must have been drinking that long time as we had to bar rolling them on the rollers. I can pick out the name of the boys that were sent them with some cigars. That is what we get every month don't last long with Mastie.

Your Pal,
Bill Buck

Is There a Dr. in House?

Pittsburgh, June 10.—One of those men-in-white pictures was playing the subsequent run State Theatre downtown here last night. Bloob, a 25-year-old newbaw, walked up to the boxoffice and he said he had a headache. He was arrested by Ray Wheeler, manager, and took to the court. I just don't know the hospital address.

He was sentenced to 90 days in the county jail on a charge of disorderly conduct.

Chicago, June 10.

Allied and independent theatre owners of Illinois are once more looking for the rainbow for the elimination of the double bill and see their rainbow in another bill up before the Legislature which would eliminate the double bill. The bill which runs more than 135 consecutive minutes to insert a full 15-minute intermission for the double bill. The first two hours and 15 minutes, and the second two hours and 15 minutes. The bill was passed two years ago by the House and Senate of the Illinois legislature but that bill was killed by veto by the late Gov. Henry Herrick who ruled unconstitutional. Now the head of the state is Gov. Dwight Green and one more the legislature has an opportunity to pass a similar bill.

Basils of the bill is that it is intended to give the double bill a two hours and 15 minutes, and the bill would make it mandatory that amusement places which run more than that must give the audience a rest period.

This would just about automatically rule out double-features, since the mandatory intermissions would be required for the double bill pictures and to act the action in such a way so to make such arrangements incompatible with double features.

It is surmised that the major circuit of Illinois, particularly Balboa, will be in line for the legislation. B. & K. has been the leader in the double bill parade and has steadily refused to revert to single features.

Par Stockholders Next Tuesday Will Vote on 16 Directors

Annual Paramount stockholders meeting, scheduled for next Tuesday (16th), will elect 16 directors for a full year. The meeting, which is open to shareholders several weeks ago reveals that the aggregate representation of Paramount Pictures Corporation and all its subsidiaries to directors and officers of the company in all capacities amounted to \$81,286 in P.A.'s fiscal year ending Jan. 4.

Directors up for election are Neil S. Gray, Board Chairman; Stephen Callaghan, J. Frank Freeman, Harvey D. Gibson, A. Conzer Goodrich, Stanley H. Hays, D. E. Harris, John A. Hicks, John W. Hickey, Jr., Austin C. Kneath, Earl I. Lester, Arthur D. Lee, E. V. Richards, Edwin L. Wells, Adolph Zukor.

Twenty of shares owned by these directors coming up for election, as of April 30 this year, reveals that Griffin, Gibson and Callaghan are newest stockholders or have the biggest stakes in the company of common stock, 3,000 shares of common, and also owns as trustee of common stock 1,000 shares of second preferred and 23,500 shares of common. He also has contingent preferred shares of 1,000 shares of second preferred and 12,000 shares of common to be held in the event of a vested beneficial remainder interest with respect to 10,000 of the shares of common stock. Gibson owns no securities beneficially, but is chairman of the board of Manufacturers Trust, which owns 7,110 shares of first preferred and \$3,382,800 principal amount of 3 1/2% convertible debentures.

Callaghan was named one of the 16 directors for the reorganized corporation in 1935 at the suggestion of Griffith. He then owned only 710 shares beneficially 9,000 shares of first preferred and \$450,000 principal amount of 3 1/2% convertible debentures.

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Insurance Firm 'Embarrassed' By N.Y. Theatre Tenant Showing Nazi Pix

"Our faces are awfully red, but there's nothing we can do about it," W. L. Selover, of the Mutual Life Insurance Co., N. Y., declared last week following the revelation that his company is the owner of the 96th St. theatre, home of Nazi propaganda pictures in Manhattan. "Sig In Western," made by the German Army's High Command, is the current tenant at the house.

Insurance company leased the theatre on Sept. 1, 1930, to its present operators, Walter Bibo and William Manbacher. Nothing can be done to break the lease, Selover explained, but on Aug. 31, 1942, when a 60-day cancellation clause becomes operative.

"Paradox of the situation is the fact that Lewis W. Douglas, former director of the U.S. Budget, who is president of Mutual Insurance, is also national policy chairman of the Committee to Defend America by Aiding the Allies, leading interventionist group in the house.

Mutual made an unusually thorough investigation of its prospective tenants before the lease, but apparently to no avail. Hershkowitz who looked up Bibo, then used the film distributor's report but that he handled Spanish and Austrian films and "will have nothing to do with Germany." The Austrian films he acquired before the Nazi occupation of Austria.

According to Selover, Bibo was a Jewish refugee from Germany, about 33 single and in the U.S. about 18 months. It was his first job, 18 months or so he had been owner of the Amropia Film Exchange and president according to Selover. He had 50% interest in the Europa theatre. He was also believed to own a 50% interest in three theatres in Germany.

Although Bibo and Manbacher acquired their lease on the Best Theatre Corp. they remain personally responsible. Pact called for an annual rental of \$2,000, plus \$100,000 in 1940; \$3,000 from Sept. 1, 1940, to Aug. 31, 1942, and \$3,600 a year thereafter.

N. Y. Can't Kablo It ! Albany, June 10

The answer of Irwin Edmond, director of the motion picture division, State Education Dept., to the claim of Richard R. Rollins, of N. Y. City, who says Nazi propaganda pictures, "Victory in the West," had been used to "soften up" Europe, is that the bill would have no effect on the "our country." "We firmly believe we are the strongest on earth, economically and every other way," Edmond stated in defending his classification of the picture as a newswear, for which an exhibition license is not necessary.

The m.p.d. director had taken a similar stand in a letter to the Non-Sectarian Anti-Nazi League. The organization asked that the picture be banned. "When Edmond replied he can't get to do anything about it," a full-length feature picture, because "propaganda" is not grounds for rejecting films in New York State, Rollins instituted court action to compel him to ban it.

'Sig' Big In The West San Francisco, June 10

"Sig In Western," Nazi propaganda film being shown at the nabu Prince's here, it is topping the box office on the last Reich film, "Blitz," "Sig In Western," despite the lack of English sound. "Blitz" brought out both Italian and Chinese trade, which "Sig In Western" is getting German trade. "Blitz" is doing in sufficient force, however, to make up for the defections.

TINT BATH FOR EIGHT PICTURES AT 20TH-FOX

Hollywood, June 10. Tinters get a bigger day at 20th-Fox this year, with four Technicolor features completed and four more coming. Second up to last year was a tie between 20th and Paramount, with six each. Color pictures finished thus far on the Westwood lot are "That Night in Rio," "Blood and Sand," "Moon Over Miami" and "Belle Starr." Others on the schedule are "Weekend in Havana," "My Gal Sal," "Stout City" and one other.

'SEAS' 'NAVY' A WAY FROM ROXY, N. Y.

Universal showed "In the Navy" (Abbott and Costello) to the Roxy, the first-run house in New York, but before giving the theatre a chance to negotiate on the "Turned down," he cold it to the Criterion, where it opens today (Wed.) at 10:15. "In the Navy" is the film from U. It becomes the second to ever play the Criterion in its five years of existence.

Because of the sudden Loew deal in Hollywood, the Crit is set to be scheduled to open at the house today. There, previously at a five top, it is jumping to 75% for the Abbott-Costello comedy.

Having closed with the Roxy 50% only few pictures during the past year, U. has spread most of its products in other directions, including the Rivoli, which has a Palace 1940-41 deal. State, Halasca and Ritlo. Roxy, a selective deal with U. for this season but it was cancelled by mutual consent. However, the house took "Ladies From Cheyenne" from U. a short while back, the first from this distributor it had bought in a long time.

SEARS, WITH WARNERS, DECIDING CONV. PLANS

Hollywood, June 10. With Grand Greys here for huddles with Warners, Sears is expected that decision soon will be made on where the Warner Bros. picture convention will be held this year, and when. Company held two confabs last year in N. Y. and Los Angeles. Question of several regions instead of one big convention is being mullied but Warner Bros. may decide next Sept. if big sales session so many companies are doing this year, with Chicago and New York centers, that number will be available shortly thereafter, it was reported this week.

'HARD WAY' SHIT!

Hollywood, June 10. His Lupino head is being shifted to the top flemme role in "The Hard Way," a tale by Jerry Wald, at Warners. "The Hard Way" is being produced by one of the leading pairs in "Kings Row."

BEEF TUMBLERS BEING SING COS.

Want Divorcement of Music Publishing Subsidiaries Such As Radio Networks Did with Their Artists Bureaus

MINNESOTA DEFI

A bloc of exhibitors is reported to have been formed in advance of the convention of the Motion Picture Theatre Owners of America, being held in Hollywood, for the purpose of demanding that major distributors get rid of their music companies. At the same time this group will attack the seat tax of the American Society of Composers, Authors & Music Publishers, but that will be of secondary importance.

The MPTOA convention opened yesterday (Tuesday) and continues through tomorrow in open session. Faction which has been laying battle plans against ownership of music firms in Hollywood, are in for a surprise action they have in mind today (Wednesday) or save it for the blow-off sessions tomorrow (Thursday).

Reported that the exhibitors will advance every argument they can muster as to why distributors should get out of the music business, none in particular, as well as raise the point that they should take this divorcement step the same as Broadway and other theatres, by riding themselves of artist bureaus.

Setups Paramount, Metro and Warner Bros. are in the music publishing business, each with more than one firm. In addition, the latter is in control of Remick, Witmark, Harms and New World, mentioned more or less inactive; Metro owns Robbins, Felst and Miller Music; and Fox has Paramount Music and Famous Music.

So far as the ASCAP seat tax levied against theatres is concerned, it is expected that the whole convention will go on record in opposition to its continuance as in the past. Kuykendall, president, has ways bitterly attacked the assessment of this tax.

However, for theatres individually it does not amount to much although every circuit like Paramount's 1,000 theatres, Warners, of nearly 500, are concerned it adds up. Tax ranges from 10 to 20c a seat yearly and is levied on the line with scale of admission, run played, policy in effect, whether stagshows are played, etc.

Mpls. Exhibs' Defl

Minneapolis, June 10. Bennie Berger, owner of one of the city's largest theatres, Abraham Circuits, has announced that he'll defy ASCAP and refuse to continue the seat license in any of his new theatres, thus inviting lawsuits. In taking his stand, he is going counter to the advice of Abraham Warners, national Allied States' general counsel and his close friend, who is generally regarded as the last week, told exhibitors that, despite recent court decisions, "the smart thing" is in his opinion, "is to keep on paying the fees."

Myers contends that the decisions do not pave the way for the entire seat tax, but that theatres are better off dealing with ASCAP. He is generally regarded as the business with individual companies anyway and he doubts whether they will ever emerge victorious in a scrap with ASCAP itself.

On the other hand, L. B. Schwartz, prominent in the theatre industry, insists that exhibitors now have an "out" as far as the music license fee is concerned and he is offering to defend any suits that ASCAP may bring.

Metro's Rodgers Keynotes Opening Session of MPTOA on B. Pix Values

CAL. LAW PROTECTS AGENTS VS. MOPPETS

Sacramento, June 10. New measure protecting employment agencies in moppet contracts was signed by Governor Culbert Olson and goes into effect 90 days after adjournment of the legislature. Bill, sponsored by assemblyman Jack Tenney, prevents a minor from disavowing an agency contract to secure theatrical engagements, provided the pact has been approved by the superior court or the labor commissioner.

URGING 3-DAY SHUT-OUT BY SYNDICATE

URGING 3-DAY SHUT-OUT BY SYNDICATE

Milwaukee, June 10. While the regional meeting of independent exhibitors of Wisconsin (4) in Chippewa Falls, Wis., will lead primarily to bring about closer relations between Wisconsin exhibitors and large group of theatre men in the western and northwestern parts of the state, the meeting in Minneapolis, much of the session was devoted to discussion of the so-called exhibitors' strike of this season as well as other areas.

With an attendance of 22 exhibitors representing more than 40 theatres, the meeting at the Skogmo cafe was considered one of the most successful regional contacts yet held, with all agreed upon closer and more diligent efforts along legislative lines than the past year. Fred C. Fiedler, president of Minnesota Allied, explained what had been done in that state, particularly as involving a consent decree, and, while not attempting to predict the results out, expressed complete optimism as to final benefits for the exhibitors.

As the prevailing business situation, agreement was practically reached that in the interest of economy and conservation of product all houses will close for three days each week and that exhibitors operating two houses in a town will close one of them completely. The idea is that the exhibitors who have made the business to be had and that it is only good horse sense to apportion this as fairly as possible among the exhibitors in this friendly fashion rather than to keep open at a loss because the other exhibitors are closed. Operating costs can thus be reduced, it is felt, without entailing any appreciable loss of revenues, and by enabling all to keep out of the red.

Milwaukee's delegation at the meeting included Alvin H. Guttenberg and Harry Perlicwitz—because this arrangement will be extended through this week, exhibitors in every locality are up against the same problems. Notwithstanding the fact that the exhibitors are in defense industries, business locally never was as bad as at present, and the exhibitors have managed to beat the outdoor showmen.

Having posted a two weeks notice, the exhibitors' strike is now being vaundified, is operating on week-to-week and may shut any time, not because business is bad, but due to lack of attractions, the only money getters lately having been the band shows and the variety shows, and will similarly get to come.

Hollywood, June 10. A radical national sales policy with a formula applying the proper slide to each individual situation was announced at the opening session of the Motion Picture Theatre Owners of America today (Tuesday) by William S. Rodgers, Allied general sales manager. He told delegates that "we feel the time has come that the inevitable battle, unfortunately a part of this business for so many years, should cease."

"We are going to offer our best proposal first and we will stand behind the valuation of our pictures. I believe we have worked out a sales plan which will be of benefit to all our customers. It is predicated on the true premise—that gross receipts must be the barometer for what you pay as film rental."

"We never advocated and do not know that American exhibitors are expected to make up the deficit resulting from the foreign situation. We do expect, however, American exhibitors to cooperate so we can seek and find new avenues of revenue."

Looks Bad Now, But...

Rodgers said that the industry now is being dealt a rough hand from exhibitors, what with receipts below normal, but he hoped that by collective action, exhibitors would be found to make business more successful for all concerned.

Kuykendall's 8th Term

MPTOA board voted Ed Kuykendall his eighth term as president. Entire day was devoted to the convention position. Frank C. Walker retains his vice-presidency but pulled out of the board for the foreign situation of duties as the U. S. Postmaster-General.

George A. Brown, of Philadelphia, continues as associate general counsel. Other officers holding over are: A. L. Lightman, Memphis; Mitchell Wolfson, Miami; E. J. Beatty, Detroit; A. Julian Brylawski, Washington; vice-presidents, Morris Lowenstein, Oklahoma City, secretary; Walter Vincent, New York, treasurer; and Fred Wehner, St. Louis, board chairman.

Attendance Over 1,000

Upwards of 1,000 exhibitors, most with families, are gathered here from all sections of the country, with the registration about evenly divided between the MPTOA and the PCC organizations. Out-of-town exhibitors started converging here over the weekend, and by Monday the theatre operators were on hand, ready to plunge into the business sessions.

Cost conference got down to business yesterday (Mon) morning, with first session devoted to reports of trustees and the various MPTOA and PCC organizations. First business meeting of the MPTOA set for this afternoon, with the theatre unions having their meetings on Thursday. Meetings of the PCC are being held each morning, with the exhibitors' meetings afternoons, all sessions being scheduled for the Ambassador Hotel here.

Social activities started yesterday afternoon with three studio taking turns and the variety shows which accompanied them. Tour was divided into three flights in order that no exhibitor would be over-entertained at any of the studios.

Tonight (Tues) there will be a barbecue and entertainment at the studios and the variety shows. Pickford and other Hollywood names will function at a Hollywood Personal Parade on Wednesday night, and the joint session will be the annual banquet and dance at the Earl Carroll Theatre, in Hollywood Thursday night. My Pickford, representing the industry, welcomed the PCC delegates to the convention yesterday, and will similarly get to come. (Continued on page 10)

Charlotte, N.C. 700,899 Pop. and 172 Churches Finally OKs Sunday Amus.

Charlotte, N. C., June 10. A blue-ribbon "Fidelity" city council last week repealed "blue laws here to permit Sunday motion picture an economic stimulus program here for the last six years. For almost two centuries, stern, church-fought Presbyterian activities have frowned on Sabbath amusements and in recent years have opposed movements to permit motion picture in the open Sunday classification.

By an eight-to-three vote, the council, which went in office on a reform wave barely a month ago, ended the closed Sunday era and affected the showing of Sunday pictures in 10 Charlotte theaters between the hours of 1 to 8 p. m. after 6 p. m., along with permission to hold baseball games during these same hours.

Charlotte, with 100,899 population and 172 churches, prides itself on being the second best manufacturing city in the world, bowing only to Edinburgh, Scotland. Charlotte theatre took advantage of the vote by opening last Saturday (8) to capacity houses.

CHARLES SCHLAIFER USO PUB. DIRECTOR IN S. F.

San Francisco, June 10. Every electric light and neon tube in every skyscraper, sign, store-front theatre and street sign are simultaneously in a dazzling 'Lights Up' display if Charles Schlaifer of United Artists is to have his way—and it looks as though he will. Stunt has been evolved by Schlaifer as a means of getting United Service Organization work to a brilliant start as "Lights Up" to world blackout. Star as is known, mass illumination of every city has never been attempted before.

Tentative date for the 'Lights Up' is the USO June 17, with merchants being asked to include special USO slugs into their window displays and advertisements. With permission of his boss, Herman Cohen, (owner of the city's largest theatre), Schlaifer is devoting almost half his time to volunteer, unpaid defense publicity. Although his USO stunt will be the most spectacular, possibly more far-reaching is his "United Home Front" organization dreamed up by him. Already he has induced a flock of exhibitors to take in his "United Home Front" Phil Phillips, of Fox-West-Cost; William Palt, manager KFNZ-TV; Charles, ad manager KFRC-TV; Gene Block, executive secretary of the Survey Committee; Fred Martin, public relations; Clarence Laws, Joe Blumenthal's partner in Oakland; and Phil Lasko, manager of KROW.

San Diego Boom Town's 24-Hour Film House

San Diego, June 10. This boom town not only has its first 24-hour theatre, the Cabrillo operated by Lou Metzger. With aircraft pictures on 24-hour basis, the theatre has as many people as on the streets at night during the day. The mob, however, has no interest in high-brow stuff, with result that town's first 24-hour theatre, the old Savoy, will be torn down to make way for a multi-story garage.

RKO Fordham's 20th Anniversary

RKO Fordham in New York is celebrating its 20th anniversary this week with a "special event" each evening. The showings are on Thursdays (5) with Kenny Baker, Estelle Taylor and other stars in the first show. There was another vaude show on Friday. Other events included a "Miss 20th" and an event to pick "Miss Fordham Road."

Irving Goff is manager of the house.

ROME-TOWN LOYALTY

Detroit, June 10. Keeping the home front, the 78th Coast Artillery crowned Linda Ware, young Hollywood player, with the sweetest of kisses in front of Camp Haan, Calif. Yesterday she was with the youngest bride from Detroit and more than 400 men in the regiment are from here as this area.

No U. S. Oakleys

Detroit, June 10. Gentlemen of the press in these parts are pleased by the fact that President Schroeder is now directing Uncle Sam's defense stamp and bond drive in the area.

Now they want to know if he can't ask two bonds for them.

PARADES AND CAMPAIGNS ON BOYS'

A step that may chart a course to be followed in merchandising film under the consent decree, starting with 1941-42 season, is being taken by Paramount under plans to place different campaigns to a test immediately on "Kiss the Boys Good-bye" which, however, is a this year's (1940-41) film.

In the picture, deliverable under the current season's contracts, will not be released until August, 11, it is to be spotted in six widely separated cities across the country early in July with probably three different campaigns tried out as a means of determining which seems best.

One campaign will be tested in two spots; another in two others and in all likelihood a third in still another location. Campaigns are figuring on giving 24-sheeting experimentation on "Kiss Boys Good-bye."

The best campaign in the light of results, in addition to billboards in line with the new selling idea, will prevail under the consent decree, Paramount is moving two members of its theatre group to new general distribution duties. They are George Schur, assistant to Montague Lowmire, controller of Loew's and Leo Walsh, chief aide to Leon Neter, who, executive-control of the entire show and New England. Shift to the distribution department means a promotion for both.

Joe Sweeney, accountancy executive in charge of entire show, formerly performed by both Schur and Walsh. All have been with Paramount since 1934.

SCHUR, WALSH UPPED INTO PAR DISTRI

Augmenting its home office forces in line with the new selling idea, will prevail under the consent decree, Paramount is moving two members of its theatre group to new general distribution duties. They are George Schur, assistant to Montague Lowmire, controller of Loew's and Leo Walsh, chief aide to Leon Neter, who, executive-control of the entire show and New England. Shift to the distribution department means a promotion for both.

Am Actor Setup Aims Tab Versions of Films

Philadelphia, June 10. A novel exploitation stunt is being tried by the S-W Keith's on W.D.A. Smith's theatre group, which is formed by the S-W Keith's, Jack Goldman, and his assistant, Dave Forswick, who are labeling their theatre players. This group gives a condensed version over the air of the picture, and being shown at the house that week.

In a month the players dramatize their outstanding scenes in three tab versions of the scene set free duets.

20th's N.Y. Sales Meet

Date of the annual sales convention for the Fox was changed last week from July 8-11 to July 14-16, in New York at the Waldorf-Astoria.

Herman Wobber, domestic sales chief, made the shift because grand ballroom was not available for three days previously announced for holding sales huddles.

Abbott and Costello's 'Navy' Whirl in N.Y. by U

But Abbott and Lo Costello flew in from the Coast last night for their personal appearance tonight (Wed.) at the Waldorf-Astoria Universal attraction, "In the Navy," by the Criterion, "N. Y. They," they said to the "Friday Post" to make their regular Sunday night broadcast for Chase & Sanborn.

Special reception at LaGuardia airport on their arrival, with Mayor LaGuardia appointing them special civilian defense deputies, they were tossed a cocktail at the Hotel Astor last night ("Tuesday") by the press and exhibitors as guests.

Can't-Cross-Picket-Line Technique Forces Pix Theatres to Unimize

Minneapolis, June 10. Theatre ushers, janitors, cashiers, etc. in the territory are being alerted in their drives to organize themselves as the picket line's projectors' union forbidding members to go through a picket line.

Members of unions belonging to an AFL or CIO union call a strike and picket a showman. The picket lines virtually go out automatically, loyalsnaghdn's union now is making demands upon the smaller independent houses and using the picket line as a means of getting the Granada, Duluth, refused to put on a stagehand for its exclusive film "The World to Watch." Star as is known, mass illumination of every city has never been attempted before.

3 Metro P.A.s Score SPG's 'Mighty Bad American'

A section of three members of Metro's ad-publicity staff, joined the Paramount dissenters to the present George Schur, controller of Loew's and Leo Walsh, chief aide to Leon Neter, who, executive-control of the entire show and New England. Shift to the distribution department means a promotion for both.

After acknowledging the value and perhaps the need of craftsmen handling together to attain a common goal, the note from the Metro group touched on actions taken already by the present SPG officers which the signators claimed were examples of "Mighty Bad Americanism."

After citing their belief that there is a place in the film business for a man who is not in the top spot out that it must have as a foundation principle a policy that embodies those principles which are the foundation of rights a yardstick for all good government.

UA Letters Protested

Two weeks' notice handed by United Artists yesterday (Tuesday) to the Screen Actors Guild by the exploitation staff brought up a quick squawk from the UA unit of the Screen Actors Guild in New York. In a resolution approved by the SPG's exec council and to be placed before the organization's general membership meeting tomorrow (Thursday), UA asks "immediate action" in protest of the dismissal with a view to securing recognition of all affected.

SPG declared it does not recognize as a fair basis for dismissal the "Mighty Bad American" which is a smaller quantity of product of immediate future. Group declared that a year-round campaign of publicists important to all in the staff, since a consistent level of good will must be maintained.

Helprin to Coast

Morris Helprin, New York rep for Alexander Korda, went to the Coast yesterday to head the huddle on campaigns for "Lydia" and "Juno" Block, which will be released soon. He'll be west about two weeks.

Generalissimo Now Heads U.S. Western Sales; Theatre-Exchange Briefs

E. T. Generalissimo, formerly district manager in Chicago, was moved up to general manager of the U.S. Western of Universal last week. This was the sole post left vacant in the shakeup of the U.S. Western last Tuesday under director's meeting.

Generalissimo succeeds Generalissimo in his former post. He was Chicago branch manager. Generalissimo, manager of U.S. San Francisco exchange, has been transferred to the U.S. Western office there. He will take the spot vacated by Gottlieb moving up to mid-western division position. Rose is a veteran of Universal's sales staff.

Dewey Michaels Disposes

Buffalo, June 10. Judgment for \$8,000 and an order for disposition of D. M. Theatre property, operating the Mercury, Hytown art cinema, was taken by the owner of the theatre property, city court last week. Attorneys for the tenant announced that a new corporation would be formed to buy over the lease and the same management would be installed without interruption of the theatre policy.

The theatre was rented in 1936 to Dewey Michaels, who subsequently assigned the lease to the corporation which was formed. Michaels is also the operator of the Palace, Burlington, here.

Kansas' Big Blow

Wichita, June 10. Plaza, constructed year ago, destroyed by wind during storm at Wichita, Kan. City stopped the area standing.

Pitt Berivale Floppo

Casino theatre's billboards in revivals of old silent hits for the summer did a quick ad folio last week. The picture, which is only five days. House, local home of burlesque, was closed last week. It has been leased by George Jaffe, local home improvement store, and Daniel Cummins of New York, on a rental basis and first release was collected on June 10. It is one of comedians' two-reelers.

Charles Swallow, manager of the model stage shows for adults only for couple of weeks but that dropped. House now under new La Labor Day, when attractions will change.

William A. Livingston, clerk of arrangement, has been named as his successor will be named in a few days. Livingston reentering employment as insurance agent at Local Warner Club honored four members of the longer last night (9) farewell Charlie Kocak, sound engineer, who has been named as his successor.

Briefs: Thomas Ams, assistant to his father, N. G. Ams, West Virginia school and Regina Felia who married in New Orleans Thursday (12). Mrs. Annie Abrams, wife of operator of Park theatre at Blair station, opening drama show night at Blair station. Hubert G. O'Connell, WB district manager Sid Kocak, sound engineer, who has been named as his successor, will remain on job here until new WB exchange building is completed. They will be on job in about six weeks.

They will be on job in about six weeks. They will be on job in about six weeks. They will be on job in about six weeks.

Farewelling Brahm

Warner office force whipping up farewell shindig for Sid Kocak, sound engineer, who will be on job in about six weeks. They will be on job in about six weeks. They will be on job in about six weeks.

A.C.'s New 1,500-Seater

Atlantic City, June 10. George F. Willard and his son-in-law Lewis opened their new 1,500-seat theatre last night (7). This makes six Atlantic City theatres in the Willard-Atlantic City theatre group. They are the late Jesse Fishman, one time manager of the local WB exchange.

Welland-Lewis chain. Harold Hanin, also formerly of Strand, is assistant manager. Harry J. Walters in charge of mechanical operations. There are 10,844, named manager of Strand.

City's Theatre Bay

The City of Huntington, W. Va., has purchased the theatre property of the Ohio theatre last week under an agreement which requires the sale and all its equipment for \$39,000. The front of the building will be out of putting the widening of Market Street.

Harvey Nichols house in Wayne, O., now being constructed expected to be completed by Sept. 1.

James C. Wires, house manager of the State, Youngstown, Ohio, has been placed in charge of entertainment of the 13th annual city fair at the Ohio State Fair, Fort Eustis, Va. His job is to produce two shows each week.

Haines Appointed

Roland Haines, manager of Strand, has been named as the manager from an expediting listing. Warshaw, his assistant, filling in.

Coopering at Strand

The highway, Jenkintown, undergone extensive refurbishing. The highway, Jenkintown, undergone extensive refurbishing.

Lowen Pizer, UMPTO President

Lowen Pizer, UMPTO president and general manager of the YVOA, is also the operator of the Palace, Burlington, here.

Ed Sharlin, former assistant at the Wynne, now aide to Dick Meyer at downtown Strand, has been elected president of the Variety Club Auxiliary.

W. W. Derricks, opening new house, the South St.,

C. E. Pearson, operator of the Astor, Reading, to his chain.

Two more theatres will open at the end of the month.

Benjamin Schneider, owner of the Ace, Wilmington, will build new 800-seat in Richardson Park, costing \$100,000.

William Triles Enlists

William Triles, Enlists to be assistant for army service at Jefferson Barracks, St. Louis, Mo. He is also assistant to manager William Mitchell Orpheum via Ira Crane, assistant to manager at Grand Opera House of Sioux City will replace work in Richardson Park, costing \$100,000.

Loew's Shirts

William Elder of Loew's Harrisburg, Pa., is replacing William C. O'Connell, replacing Ward Farrar, resigned. Sam Gilman, Dayton, will succeed. Sam Gilman, Dayton, will succeed. Sam Gilman, Dayton, will succeed.

Jasecky Vice Cody

Joseph Jasecky, vice president of Joseph Ralph Nichols of the Jackson Theatre, Jackson Heights, N. Y., has been named as his successor. He was promoted to manager of the Roosevelt Theatre, New York.

Fording's Moveover

Charles Horning, assistant manager of Herbert A. Forster, here, is being replaced by Leonard Joyce, doorman at Capitol.

Ed Muller, newly appointed manager of United Artist New York exchange, Herbert A. Forster, here, is being replaced by Leonard Joyce, doorman at Capitol.

Autographous' House

Autograph hunters now have their own picture theatre here. Latest of the new babies to be opened here, the new babies to be opened here, the new babies to be opened here.

Stunt consists of covering the walls of the picture theatre with the signatures (real and purported) of hundreds of the picture stars.

Extended Runs Bolster Chi Biz; Wings-Vaude \$34,000 in 2d Wk.; 'In Navy Plus 'Shoes' Bangup 21G

Chicago, June 10. (Best Exploitation) Palace: Theatres in this loop are turning out only one show after another...

engagement. Not registering too strong on return, but still not bad...

United Artists continues 'Woman's Face' for a third week...

'Navy, Robust \$11,000, Single Bright Spot In Balto; Others Weak'

However, the Apollo, now back as a 35-center attraction...

Baltimore, June 10. Only beacon in the dark here is in the Broadway district...

Estimates for This Week: Apollo (B&K) (1,000; 35-55-75)

Holdings (Lows' UA) (3,000; 15-30-40)

Chicago (B&K) (4,000; 35-55-75) - Wings (Par) and stage show...

Holdings (Lows' UA) (3,000; 15-30-40)

Colorado (B&K) (4,000; 35-55-75) - Penny Serenade (Col.)

Holdings (Lows' UA) (3,000; 15-30-40)

Denver (B&K) (3,000; 35-55-75) - Penny Serenade (Col.)

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First Runs on Broadway

(Subject to Change) Aster—Major Barbara' (UA) (6th wk.)

B'way in Low Gear; Moderate 39,000 Each for Powell-Loy, Million Baby (Plus Les Brown); Holdovers Better

Broadway film showings have suffered a relapse. This also applied to the neighborhoods...

but it's money in the bank for the day and that's something these days...

Week of June 19 Aster—Major Barbara' (UA) (6th wk.)

Love Crazy' is one of the new major first-run openings of the week...

'Sunny Okay \$16,000, 'Draft' Robust 161G, Latest Hub Winners

Brooklyn, June 10. 'Love Crazy' holds over this week at the Lowry state and in its second stanza...

Best business is being clocked by the holdovers. 'Penny Serenade'...

Estimates for This Week: Black Cat' (3,200; 15-20-24-44)

Weekend Shore Trek

Kid and Navy Okay

Cleveland, June 10. Summer cottage owners, thousands of them...

'Kid and Navy' Okay

Estimates for This Week: Aster (UA) (1,012; 30-40-55-85)

Palace (RKO) (3,700; 30-35-42-55)

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Broadway (L&S) (1,895; 55-75-75)

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HEIDT-BEAUTY'S SAKE' TERRIF 164G, L'VILLE

Louisville, June 10. Horace Heidt orchestra is getting all his own heretofore...

Denver (B&K) (3,000; 35-55-75) - Penny Serenade (Col.)

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'KID' BIG 21G, DENVER

Denver, June 10. Boxoffice take still holding up...

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Palace (RKO) (3,700; 30-35-42-55)

Goldwyn's 3d RKO Set For Gay Cooper Set

Hollywood, June 10. Samuel Goldwyn today (Tuesday) purchased an original...

Palace (RKO) (3,700; 30-35-42-55)

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BROOKLYN LIGON

Brooklyn, June 10. Fairly good attendance at majority of houses despite war weekend...

Palace (RKO) (3,700; 30-35-42-55)

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Palace (RKO) (3,700; 30-35-42-55)

'Blood' and 'Face' Each \$17,000 in Peppy Philly; 'Crazy' \$11,500 on H.O.

Philadelphia, June 10. (Best Exploitation: Stanley) Change of scenery around the markets of some coasting and biz is a little chirper in Philly. There's still room for... Stanly-Warner offers one less house to worry about... Peppy Philly... 'Crazy' (M-G)...

'Blood and Sand' at the Fox... 'Face' (M-G)... 'Crazy' (M-G)...

'Blood and Sand' at the Fox... 'Face' (M-G)... 'Crazy' (M-G)...

Estimates for This Week... 'Blood and Sand' (2,300; 28-30)...

Alma (WB) (1,530; 35-47-68)... 'Blood and Sand' (2,300; 28-30)... 'Face' (M-G)...

Stanley (WB) (2,916; 35-47-68)... 'Blood and Sand' (2,300; 28-30)... 'Face' (M-G)...

MPTOA

Contains from page 7

MPTOA conventionists at their first business session this afternoon... Bitter attack on the industry's press of branding and labeling pictures as 'good,' 'bad' or 'indifferent'...

As long ago as 1933, it said, 'we stand pointing out the arbitrary and unfairness of this system of arbitrarily pre-judging and classifying picture material...'

In his report Kuykendall also discussed doubtful bill effort, admission taxes, Michigan law restricting operation of concert dance, Florida and Nebraska anti-ASCAP laws, television, national defense and other industry problems.

the arrival of this new order.' He touched on daylight saving and labor conditions, mentioning latter as a 'national disgrace'.

Reading of secretary and treasurer reports... Secretary Morris Lowenstein and board chairman Fred W. Wagoner...

Nathan D. Golden, motion picture consultant in the Bureau of Foreign and Commercial Commerce in Washington, declared his department is undergoing reorganization designed to provide every branch of the industry with a more comprehensive factual service on economic affairs in...

Estimates for This Week... 'Blood and Sand' (2,300; 28-30)... 'Face' (M-G)...

Cold, Rain Pep Up 'Dope', 'Ram' 'Wings', 'Do'e' 'Brisk' \$900, 'Hamilton' 4G

Minneapolis, June 10. Cold and rain continue as boxoffice helps... 'Dope' (M-G)...

Aster (Par-Singer) (900; 28-30)... 'Ram' (WB) (2,300; 28-30)... 'Wings' (M-G)...

Estimates for This Week... 'Dope' (M-G)...

'HAMILTON' GREAT GG IN IMPROVED PORT.

Portland, Ore., June 10. 'That Hamilton Woman,' well plugged by papers, is winner at the Broadway... 'Hamilton' (M-G)...

Estimates for This Week... 'Hamilton' (M-G)...

Orpheum (Hamrick - Evergreen) (1,500; 35-40-50)... 'Hamilton' (M-G)...

Circuit Hits Cincy But 'Doe' Dandy \$13,000. Cincinnati, June 10. General b.o. score of major houses... 'Doe' (M-G)...

Estimates for This Week... 'Doe' (M-G)...

Albee (RKO) (3,300; 33-40-50)... 'Doe' (M-G)...

NATIONAL B. O. SUMMARY

Abbott-Costello's 'Navy' and Crosby-Hope's 'Caught in the Draft' Lift B. O. Tonics - June Jitters Antidotes

Exhibitors find no necessity for a Catalina flying boat in order to sight the smash business in store week... 'Navy' (M-G)...

musical in which Anna Neagle is appearing to advantage. It opens at the Music Hall, New York, this week...

'Wings' touched a strong \$22,000 in Brooklyn, and good \$20,000 in Minneapolis. Detroit, Chicago and Cleveland. It was light in Washington, and only fair in its second run in Cincinnati...

'Navy' Smash OG in Pittsburgh. 'Kid' Okay \$13,000; 'Broadcast' \$4,500 - 'Feeling' - Crosby N.S.H.; Others Off

Pittsburgh, June 10. (Best Exploitation: Senator) On the decline this week, 'Navy' (M-G)...

Estimates for This Week... 'Navy' (M-G)...

Del. Flooded With 'Doe's', 'Blood' 'Sturdy' \$15,000; 'Wings' 12G

Holders are plentiful here but they're due to good biz. Where a picture is not guaranteed... 'Doe' (M-G)...

Estimates for This Week... 'Doe' (M-G)...

Film-Sale (Michigan) (3,300; 30-40-50)... 'Doe' (M-G)...

'KID' STRONG \$12,000 LEADER IN OKAY K. C.

Kansas City, June 10. Strength of the town is in main street where the Midland is doing well with 'Billy the Kid', a natural for this area. Also all picture houses are taking in more money than a few weeks ago...

Estimates for This Week... 'Kid' (M-G)...

Midland (Lewy's) (4,101; 10-28-44)... 'Kid' (M-G)...

'Wings' (M-G) and 'Broadcast' (M-G) are the top performers here. 'Wings' (M-G)...

Fred Bonnen (WB) (2,916; 35-47-68)...

'Navy' and 'Blood' at the Fox

'Navy' and 'Blood' at the Fox... 'Navy' (M-G)...

Estimates for This Week... 'Navy' (M-G)...

Fred Bonnen (WB) (2,916; 35-47-68)...

Frisco Hurt by Outdoor Attractions; Lisbon' Mild 12G, 'In Navy' \$9,200 H.O.

San Francisco, June 10. With nice weather hurting matinee attendance and the Police directing strong attention nights, and generally unsettled conditions directing spending to necessities, all was quiet on the Frisco. This week, holdovers being in rule. Only new entry, 'One Night in Lisbon,' which is a scorching hot picture, average box at the Paramount. Kane is holding up nicely at the Geary, with average sales still...

Compared with previous film roadshows at the same house, which had the benefit of advertising and publicity in the three Hearst papers and the 'Examiner,' the picture is doing surprisingly well, nudging figures of 'Lost Horizons' and topping items like 'Midsummer Night's Dream' and 'Captains Courageous.'

Estimates for This Week: Fox (F.W.C.) (5,000; 35-40-50)—'Blood Sand' (20th) and 'Bride Wore Crutches' (20th) (1,000). 'Blood Sand' done as well as expected, with average \$10,000 last week. First week, disappointing \$16,000. 'Garry Curran' (1,288; 55-75-110-\$15)—'Kane' (20th) (1,000). With this picture, inserts in 14,000 copies of literature started this week by theatre.

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'Sunny' Slick \$6,200; 'Doe' 8G in OK Omaha

Omaha, June 10. 'Sunny' (RKO) (1,200; 35-40-50) is doing well. 'Doe' (8G) in OK Omaha. 'Sunny' attracting most attention. Estimates for This Week: Omaha (Tri-State) (2,000; 10-40)—'John Doe' (WB) and 'Comest Happiness' (WB), each \$8,000. Last week, 'Wings' (Par) and 'Shot in the Head' (WB), each \$8,000.

Estimates for This Week: Omaha (Tri-State) (2,000; 10-40)—'John Doe' (WB) and 'Comest Happiness' (WB), each \$8,000. Last week, 'Wings' (Par) and 'Shot in the Head' (WB), each \$8,000.

Key City Grosses

Table with 2 columns: Title, Gross. Includes 'Blood Sand' (1,448,800), 'Bride Wore Crutches' (1,178,000), 'Garry Curran' (1,278,300).

Extended Runs In Improved Seattle; 'Blood' Big \$5,500

Seattle, June 10. Again the cycle for extended runs with Pic continuing to show improvement started with Memorial Day week. 'Blood and Sand' now a new entry, okay, and 'Hamilton Woman' and 'In Navy' holdover favorites.

Estimates for This Week: Bine Mysus (Hamrick-Evergreen) (850; 30-40-50)—'Broadcast' (20th) (1,000). 'Blood and Sand' (20th) (1,000). 'Hamilton Woman' (20th) (1,000).

Estimates for This Week: Bine Mysus (Hamrick-Evergreen) (850; 30-40-50)—'Broadcast' (20th) (1,000). 'Blood and Sand' (20th) (1,000). 'Hamilton Woman' (20th) (1,000).

'Sunny' 11G, Best Prov. Holdover; 'Navy' 10C

Providence, June 10. For the first time in many months 'Sunny' (RKO) (1,200; 35-40-50) has holdovers, all doing nicely. 'Navy' (10C) (1,000). 'Blood and Sand' (20th) (1,000).

Estimates for This Week: Providence (RKO) (1,200; 35-40-50)—'Sunny' (1,200; 35-40-50). 'Navy' (10C) (1,000). 'Blood and Sand' (20th) (1,000).

'WINGS' 7/2G, MONTREAL Not Much Theatre-Going, but Fans' Love \$6,000 Second Week

Montreal, June 10. Victory Loan display, black-outs and Norma Shearer, par-manned grosses are the main factors in the picture's higher prices. Black-outs and Norma Shearer, par-manned grosses are the main factors in the picture's higher prices.

Estimates for This Week: 'Wings' (Par) (1,000; 43-48)—'Wings' (Par) (1,000; 43-48). 'Blood and Sand' (20th) (1,000).

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Abbott-Costello 4,000 In Health Lincoln

Lincoln, Neb., June 10. 'In Navy' is taking the play away from other houses at the Paramount. 'Blood and Sand' (20th) (1,000).

Estimates for This Week: Lincoln (Paramount) (4,000; 30-40-50)—'In Navy' (1,000; 43-48). 'Blood and Sand' (20th) (1,000).

Tourist Com Too Thin to Transfuse Anemic L.A.; 'Lisbon' Harry Owens Top \$18,000; 'Gold' 18G; 'Sunny' 9/2G

Los Angeles, June 10. Despite fact that eastern tourists are commencing to hit town in droves, picture biz generally has not taken the upward turn that has been expected. 'Lisbon' (12G) (1,000). 'Gold' (18G) (1,000). 'Sunny' (9/2G) (1,000).

Broadway Grosses

Estimated Total Gross: Broadway (1,000; 43-48)—'Wings' (Par) (1,000; 43-48). 'Blood and Sand' (20th) (1,000).

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Meagre Memphis Biz 'Crazy,' 'Devil Dogs' Best

Memphis, June 10. This is a week of retakes and little biz, except for Columbia's 'The Snow All the Answers,' which is jammed with repeaters and resellers. 'Blood and Sand' (20th) (1,000).

Estimated Total Gross: Memphis (1,000; 43-48)—'Blood and Sand' (20th) (1,000). 'Wings' (Par) (1,000).

Shriner Hop Incls. 'Crazy' Strong 10,000

Indianapolis, June 10. With 20,000 Shriners in town to attend the national convention other than the Shriners in the city have little draw. 'Blood and Sand' (20th) (1,000).

Estimated Total Gross: Indianapolis (1,000; 43-48)—'Blood and Sand' (20th) (1,000). 'Wings' (Par) (1,000).

Estimated Total Gross: Indianapolis (1,000; 43-48)—'Blood and Sand' (20th) (1,000). 'Wings' (Par) (1,000).

Estimated Total Gross: Indianapolis (1,000; 43-48)—'Blood and Sand' (20th) (1,000). 'Wings' (Par) (1,000).

DETROIT

Continued from page 10. 'Blood and Sand' (20th) (1,000). 'Wings' (Par) (1,000).

Estimated Total Gross: Detroit (1,000; 43-48)—'Blood and Sand' (20th) (1,000). 'Wings' (Par) (1,000).

British Film Workers Union Moves To Air Boothmen's Credit Deferral; Exhibs Deplore Loss of Personnel

London, May 22. Labor has broken into the manpower film industry with about 350 available boothmen. O'Brien deprecates head-in-sand attitude of the exhibitors whom, he asserted, should have long ago taken news of this sad outlook to the general public. They are to be served with addressing memos to the government, he said.

His militancy is as result of findings showing a wholesale departure of theatre personnel. In some cases, operators, faced with uncertain future in cinemas, are taking up jobs in munition and vital industry plants, figuring that where they'll be drafted, O'Brien insists government will have to amend the manpower regulations with a definite pronouncement that it's a reserved occupation or contribution grade will be sufficient. His brooding is stirring up a lot of attention among exhibs.

He is the picture even more blue is the wholesale takeover of females. In the cinema world, he has been told by government to train women projectionists to replace the male operators, that they should be taken into work. Usherettes are not lagging behind in the trend.

Two months ago, he asked if the government was playing safe about the picture game. Despite frequent wage-scale, nothing has been indicated that cinemas would be remain untouched. All other forms of workers have been brought into line for the war effort.

Move by the unions would at least bring question to the open.

London, May 22. Seeking a way out of the anticipated projectionist shortage, many managers are removing the reserved occupations list in July if under 350 men are made available. Some are pooling all available operators. Move is figured as only means of sidestepping a shutdown of picture theatres.

Agreed to such a plan is that it would entail a revision of the entire wage-scale for boothmen. It is now in first-run locations are not going to swap a babe house and manager cut in pay. A new standard wage agreement is worked out between exhibs and the union's unity. Exhibs would be kindly to the idea, even under pressure of emergency, after having got no present wage scale. Some of the sub scale exhibitors are indicating high rate to keep their cinemas running.

London, May 22. Being widespread worry in exhibition was removed when Government announced there will definitely be no shortage of picture essentialities. Fear was widespread in view of reports from manufacturers. Just an error, see Board of Trade.

BRITISH WOMEN PONG BOAT WITH HIREN

London, May 22. Seeking a way out of the anticipated projectionist shortage, many managers are removing the reserved occupations list in July if under 350 men are made available. Some are pooling all available operators. Move is figured as only means of sidestepping a shutdown of picture theatres.

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FEAR FOR BEN COHEN ON TORPEDOED SHIP

Anxiety for the safety of Ben Cohen, Metro's South African theatre manager at Durban, and his wife, was expressed by Loew officials in N.Y. this week when it was learned that the S. S. Robin Moore on which they sailed May 5 was reported lost at sea in last Wednesday's (9) day. Wire reports said the ship was steamer had foundered after being hit by a Nazi torpedo boat that had been rescued by a Brazilian boat.

It wasn't disclosed whether members were crewed or some passengers were saved.

New British Production

London, May 22. Film production in Britain is being formed by Edward Black, producer of Gainsborough production. Carries large amount of production credit. Engage in production and exhibition. Mrs. F. C. Black is co-sub-editor.

Edward Black has handled most of the big-budget features for Gainsborough and 20th-Fox on this side.

DENIES LEGIT IN AUSTRALIA IS MIIRED

London, May 22. J. E. Tait, managing director of Williamson-Tait, is emphatic that Australian legit is not "mired," as mentioned in "Amerr" some time ago. Recently, Wassers pointed out that going on the evidence of so many revivals over a long span, legit could not be classed as "over-healthy" in this country.

Tait indicated that only the foresight of his brothers' and himself had made it possible for a keen determination to win through against almost overwhelming odds. The Tait's, according to E. J., instead of taking and distributing all profits from 1920 to 1929—the greatest years in the history of the local stage—put their energies into real estate, and these interests had proved so strong that the income enabled them to weather storms and face losses over a term of years amounting to almost \$1,000,000. Despite such losses, however, Tait maintains that the corner will be turned in the near future, and since there's no question of "miring" insofar as his unit is concerned.

Tait pointed out that the Tait boys and one other person (unidentified) owned the majority of the 375,000 shares of the company which provided the capital of the unit, and they (Tait) had had practically no return for the past 10 years. When asked why they kept staying, Tait replied, simply with guts.

London's Traditionally Shakespearean Old Vic In Switch to Modern

London, May 22. Management of Old Vic theatre is traditionally British, exhibiting a touring company—but it won't be playing Shakespeare. A cast of these heads headed by Walter Hudd will present a repertory of plays by U. S. writers Robert Ardrey and William Saroyan including "Thunder Rock" and "Time Of Your Life," respectively, to the showbill. After the season's end, company will come into the West End.

Ardrey's play has already been seen in London, the Saroyan frolic, "The Great Fizzler," which was in Broadway, will be new to Britainers. Proposition is bankrolled by a prominent art group. Some criticism is being voiced at its support to the foreign plays and players included in the scheme.

'RISE' LONDON CLICK

London, May 22. "Rise About It" is the latest legit to hit the West End. Amusing, unpretentious "Rise About It" clicks in its debut at the Comedy theatre last week (5).

in London Studios

London, May 22. Bally Studios handed the second femme role in "Ships with Wings" to Ann Todd, John Clements, Betty Marsden, and Grand Finale. John and Anthony Pilbeam are also in the cast.

Butcher's has lagged its new feature "Face the Music." Film is using a bunch of raddies, Betty Driver, Ruby Miller and Bunny Doyle.

Scraper of Warners' current "Fiddling Big-budget, You Can't Escape Forever," went to Brock Williams and Edward Dmytryk.

Elsie and Doris Waters, vaudeo-radiant team, signed for a one-picture deal with F. W. Baker. Butcher's Film Service will release. Feature is set to get underway in June.

Joyce Howard into John Baxter's "The Common Touch." Feature, working at Alstree, stars Greta O'Neil and George Hibbert. British studio releasing.

Recent death of Kirk Alexander was the film of "Himling of 'Blitz Hotel.'" He was producer-director for the indie offering, and planned to use a number of show biz names.

RECORDINGS SA GOODWILL AIDS

Havana, June 2. Henry Leiser, French refugee and ex-Paris film director, whose Association of Radio Television Interchange Panamericano plans to make all the Latin-American republics and the United States. Leiser is planning to one another through a system of recordings, intends to counter "wax" with a system of recordings. On the results of these conferences A.R.T.I.P. He has suggested with Cuba for Mexico and called "The Music of the Indies" and the music of Ernesto Lecuona.

Leiser has scheme for Cuba working on his scheme for a year since his escape across the Spanish border from Germany when France was occupied.

Workers Ask Boosts From 8 U. S., 1 Mex Distribris in Mex City

Mexico City, June 10. Employees of all U. S. distributors and one Mexican film distributor have appealed to labor officials here for an adjustment of their wages effect for the last two years. The workers' additional demands and other concessions. Two months have been allowed for negotiations. U. S. distributors are Universal, Warner, Fox, United Artists, Paramount, Metro, RKO, Columbia and Warners. Jose Mier is the lone Mexican distributor.

'BAKER'S WIFE' KNEADS 100G SUIT FOR HAKIMS

The Baker's Wife, Inc., re-filed a new complaint in N. Y. federal court against the rights and Raymond Hakim seeking damages of \$100,000 for alleged misrepresentation. Plaintiff is the wife of the distributors of the French film, "The Baker's Wife," having acquired the distribution rights from the Hakim Bros.

Plaintiff claim that numerous exhibitors including the defendants, had tried to exhibit the picture in the U. S. without authority. The defendants sold the distribution they possessed to Nat. Sanders and Joe Malcolm in June 1933. The Hakim Bros. were in turn, formed the plaintiff corporation, and after cutting the film, exhibited it in the U. S. When the picture started to make money, it is alleged the defendants conspired to harass, annoy and libel the plaintiff, claiming they owned the picture, or so notifying exhibitors thus causing cancellation of dates.

Speculation Rife on the Feasibility of British Cinema Hours Extension; No Marked B.O. Increase So Far

Ed Goldman in N. Y.

Edmund Goldman, Columbia's manager in the Philippines, arrived in New York for home office duties on May 15. He is expected to stay in N. Y. for at least a month. Joseph J. McConville, who is in charge of the company's present on an inspection trip through the Latin-Americas, is due back the end of this month.

OUTLET SOUGHT BY WB N AUSSIE

Sydney, June 23. Warners' quitting of Hoyts on product, apply as from November next is expected to pave the way for some new outlets in the U. S. picture in this territory.

Anticipation is that Warners will give the Australian Union Film Co. an outlet, which is being unofficially said to have been decided by the unit for quite a spell. Anticipation is that Warners will have had sufficient product on hand to take care of its needs for the present. It is admitted that the Warners service to G.U.T. would set the loop in a very powerful position.

There is, however, the possibility that Warners may seek to sink some frozen coin with an indie exhibit to get the attention of a group of exhibs similar to that gotten by 20th-Fox with Hoyts through financial holdings in the latter theatre chain. Difficulty would be for Warners to get the break because the government is giving close attention to such financial dealings. In New South Wales, with a labor government in power, the situation is tougher for U. S. distributors seeking Aussie breaks.

Majority of indie exhibs are watching very closely contemplated moves by certain U. S. distributors to buy indie rights in the key centers, and, according to many, would like to see the government step in and break stock up. Some distributors, especially preventing any further growth by Metro.

But, however, faced with a heavy frozen coin problem, figure the government may agree to theater buying in order to get exhibs in this zone beyond the duration of the war. 20th-Fox is set in Hoyts; Metro runs its own chain, and Warners, of course, is eyeing the G.U.T. arrangement.

London Coliseum Has Booked Boxing to Play Now It's Symp Orch

London, May 22. The Coliseum has seen many changes since the war started, ranging from new architects to new picture re-issues but future offering will be something new for the West End theatre will carry the Hayton's presentation of the London Philharmonic Orchestra, when the new combination is staged here June 2. It's first time a classy musical setting has been given such attention in London's West End.

Hayton took over the Philharmonic orchestra when it ran into financial trouble. Impresario took it to the road, playing theatre and variety dates for big business.

CARR DUE IN N. Y. U/A's Co-Chief in England Clipper This Week

London, June 10. Teddy Carr, co-director of United Artists in Great Britain, is due to leave here this week for Lisbon, where he'll board the Clipper for the United States.

George Archibald, the other UA director in England, recently arrived in the U. S.

London, May 22. First operation of the new extension for late afternoon matinee, with the nation as a whole following London's lead and taking the extension through to 10 p.m. in the main, it's an extra hour of entertainment, and comes as result of the extension through to 10 p.m. where a further 60 minutes was whereby the already existing hour advance. A new time is dubbed "this motion picture" by the natives, after William Morrison, home secretary, couple of angles invite speculation.

To gain the extra closing hour, cinemas must open one hour earlier, and this has caused a lot of ground, and during the morning hour would indicate government is not wishful of the difficulty of getting exhibs cutting the morning hour, nothing else to do with their time, authorities can find plenty to occupy in an afternoon.

The night trade carries its own danger, and expects to be heavy, though but this far has shown no marked upswing at night, with exhibs cutting the definite proof of support to the later screening, exhibs will find themselves with a heavy evening, exhibs' grab of manpower, i. e., projectionists, ushers, etc. Cinema operators are being urged they'll be forced to shut down if the grab went on, making great play for exhibs in an advertisement.

Industry opinion is already agree in commenting on the extra biz possibilities in handling the extra hour, take time to swing over to the habit of p.m. picture going, discarded with the old air-radiated.

PUSH U.S. PROD. OF FOREIGN PIX

With the death of strong independent foreign-language product forcing them to handle the same, both foreign and domestic, indie foreign picture distributors are seeking to get their feet into the market in this country. Several distributors are attempting to interest former French-language producers, presently refugees in the U. S., to launch such pix. Their angle is that production of foreign-language films for art houses is a better approach for refugees aim to break into Hollywood with a quick.

One of the leaders in this endeavor is the "World" is coming to the U. S. with a production of \$50,000 to \$200,000 turnover, with a budget of \$200,000 for extended playing time. The picture, on the market, admittedly new in the dog-eat-dog picture market, but producers will be able to turn a picture for \$30,000 to \$40,000, and their return on such an investment would be greater than trying to make good with \$200,000-\$400,000 picture.

DAVE ROSE EN ROUTE TO REPORT ON G.B. TO PAR

David Rose, managing director for Paramount in Great Britain, is due in New York around June 15 for vital home office contacts. Underlying in the report is a long time concerning the setup on the British Isles will be up for consideration, and the trip for Rose will be made by Rose because of the crucial matters to be decided.

It is expected that several recent developments on quota production in England under present conditions.

HELDOVER—PALACE THEATRE, CHICAGO, ILL. • HELDOVER—SENATE THEATRE, HARRISBURG, PENN. • HELDOVER—OPERA HOUSE, NEWPORT, R. I.
 HELDOVER—STATE THEATRE, NEW BEDFORD, MASS. • HELDOVER—HIPPODROME, CLEVELAND, OHIO
 HELDOVER—GARDE THEATRE, NEW LONDON, CONN. • HELDOVER—THEATRE, ALLENTOWN, PENN. • HELDOVER—COLONIAL THEATRE, ELMIRA, N. Y.
 HELDOVER—DOUGHERTY SHERMAN, NEW HAVEN, CONN., • HELDOVER—ASTOR THEATRE, READING, PENN.
 HELDOVER—POLI THEATRE, HARTFORD, CONN. • HELDOVER—DURFEE THEATRE, FALL RIVER, MASS. • HELDOVER—CANTON THEATRE, CANTON, OHIO
 HELDOVER—ORPHEUM THEATRE, SAN FRANCISCO, CALIF. • HELDOVER—COLLEGE THEATRE, BETHLEHEM, PENN.

*They go to theatres
 when you have what
 they want!*

**35 Haldovers
 out of first
 37 openings!**

—and they want
UNIVERSAL'S
Bud ABBOTT and Lou COSTELLO
Dick POWELL
IN THE NAVY
 with **THE ANDREWS SISTERS, Claire Dodd, Condos Brothers**

HELDOVER—VIRGINIA THEATRE, ATLANTIC CITY, N. J. • HELDOVER—PALACE THEATRE, LAWRENCE, MASS. • HELDOVER—RIALTO THEATRE, LOUISVILLE, KY
 HELDOVER—VIAND THEATRE, BINGHAMTON, N. Y. • HELDOVER—THEATRE, NIAGARA FALLS, N. Y.
 HELDOVER—WARNER THEATRE, MILWAUKEE, WIS. • HELDOVER—MAJESTY THEATRE PROVIDENCE, R. I. • HELDOVER—KEITH'S THEATRE, BALTIMORE, MD.
 HELDOVER—CANTON THEATRE, CANTON, PENN. • HELDOVER—ORPHEUM THEATRE, SEATTLE, WASH.
 HELDOVER—PENN THEATRE, WILKES BARRE, PENN. • HELDOVER—BIJOU THEATRE, SPRINGFIELD, MASS. • HELDOVER—KEITH'S THEATRE, DAYTON, OHIO
 HELDOVER—FITCHES THEATRE, FITCHES, MASS. • HELDOVER—ORPHEUM THEATRE, NEW ORLEANS, LA.
 HELDOVER—CAPITOL THEATRE, WASHINGTON, D. C. • HELDOVER—FULTON THEATRE, PITTSBURGH, PENN. • HELDOVER—SOUTH THEATRE, WATERBURY, CONN.
 HELDOVER—STRATFORD THEATRE, STRATFORD, PENN. • HELDOVER—PARAMOUNT THEATRE, NEWPORT NEWS, VA.

Turning British War Documentaries into Good Movie for U.S. Pic Propaganda

Group of documentary films, including 'Health in War', 'Health in War', 'How to Survive' and 'Medical Progress'...

New York's Museum of Modern Art Film Library is presently offering a recent documentary film...

'Documentaries will continue to be shown daily at 4 p.m., but only on 20 p.m. Wednesdays until June 23...

Remarkable part of these documentaries is their technical quality has been maintained...

Six pictures in this group give a realistic picture of the war...

'Neighbours Under Fire' by Strand Films gives a grim glimpse of the war...

'G.P.O. film unit contrasts the war's main difference in normal times...

'Possibly the most dramatic film of the war is 'Dover Front Line'...

'How those who serve at home have a difficult task as munitions workers...

to a warning to the public. This message is contained in printed bold titles...

The Reluctant Dragon (Cartoon-Live Action Feature) (PART FAREWELL)

RKO release of Walt Disney production. Directed by Norman Krasna. Live action director, Alfred L. Werker...

Ever a trail-blazer, Walt Disney has been a pioneer in the field...

This is a very good chance that they may be successful, too, for the picture has plenty of entertaining...

Attitude taken by exhibitor organizations and film buyers after the picture has been shown...

'The film, in its essentials, is a trip through the Disney plant...

He opens with Bentley's wife (Cecilia) who is the mother of the film's famous fairy tale, 'The Reluctant Dragon'...

Bentley tries every way he knows to get his idea through to his wife...

Miniature Reviews

The Reluctant Dragon (RKO). Feature-length Disney should do okay at the box, although a trifle...

'Night Shoes' (O). Slick laugh and gag picture. The Gentle Foot's supporter may surprise with his in subsequent bookings.

'The Richest Man in Town' (Col). Tediously slow short reeler stretched up for a feature length. For minor auditors.

'The Nurse's Secret' (WB). Wednesday with Regis Toomey and Lee Patrick, a robust 'B' dueler.

'The Bull Bullets' (FNC). Underworld meller excellent at speedy pace. Good support for the program houses.

other Disney features in New York, notably 'Bambi'.

Cartoons, which are segued in by the director of motion pictures, feature that they are what the various departments are working on...

Many of the performers in the live action portions of the picture employ those of their actual jobs...

'In addition to strains of many old songs, the picture used the new possibilities of "Whistle While You Work," which is not plugged long enough or heavy enough in the film to get across with any luck.

OUT OF THE FOG

Warner Bros. release of Henry Blake production. Directed by George Thomas. Live action director, George Thomas. Executive producer, George Thomas...

tion to the screen requires changes of the original to conform to the tastes of the Hays appeal...

Story is a simple tale of decidedly simple folk residing adjacent to a beautiful bay...

Picture is a study in characters, rather than in fact...

Picture is an unpretentious romantic drama, rather than in fact...

'TIGHT SHOES' (RKO). Universal release of Maxie (Clare) Lane. Binnie Barnes, Fred Crawford, Anne Shirley...

'Tight Shoes' retains the strong flavor of Damon Runyon's work...

'Tight Shoes' is a picture that is strong in texture but it abounds in too much dialogue and surprise situations...

Extended operations of the Gesapo are displayed in this film verbatim...

Picture is a study in characters, rather than in fact...

shoe store to instill a hideaway idea...

Crawford hits consistently as the ashly wary boss, while Binnie Barnes is the undercover...

'WEST POINT WIDOW' (RKO). Paramount release of Sol C. Siegel production...

'WEST POINT WIDOW' (RKO). Paramount release of Sol C. Siegel production...

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'WEST POINT WIDOW' (RKO). Paramount release of Sol C. Siegel production...

...AND NEXT THERE'S
LUPINO AND GARFIELD
IN 'OUT OF THE FOG'
- ANOTHER 'SEA WOLF'!

...AND THEN
THERE'S 'UNDERGROUND'
AND WHAT A SHOW THAT IS!

The Talk of The Trade!



...AND RIGHT
AFTER THAT
CAGNEY AND DAVIS IN
'BRIDE CAME C.O.D.'
- WOW!

...AND THEN
'BAD MEN OF MISSOURI'
- THE 'DODGE CITY'
OF 1941

...ALL FROM
WARNERS
WHO HAVE NEVER
EVEN HEARD OF
SLUMPS!

Flash! JUST SCREENED
'THE BRIDE'
...IT'S THE 

FILM BOOKING CHART

FREE PIAN BROWNA AT STARLIGHT PARK

Film Reviews

Continued from page 14

(For information of theatre and film exchange houses VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarter week. Date of reviews as given in VARIETY indicates the opening time of the picture in New York City. COPYRIGHT, 1941, BY VARIETY, INC. ALL RIGHTS RESERVED. Key to Type Abbreviations: M—Melodrama; C—Comedy; CD—Comedy Drama; W—Western; D—Drama; RD—Romantic Drama; MU—Musical. Figures herewith indicate date of VARIETY'S review and running time.)

Table with columns for film titles, genres, and dates. Includes titles like 'Under Age', 'The Big Show', 'The Invisible Girl', etc.

Table with columns for film titles, genres, and dates. Includes titles like 'They Dare Not Love (Col)', 'People vs. Hilliard', etc.

Table with columns for film titles, genres, and dates. Includes titles like 'Her First Beau (Col)', 'A Woman's Face', etc.

Table with columns for film titles, genres, and dates. Includes titles like 'The Know All the Answers (Col)', 'The Fall for You (MG)', etc.

Table with columns for film titles, genres, and dates. Includes titles like 'Naval Academy (Col)', 'Love Crazy (MG)', etc.

Table with columns for film titles, genres, and dates. Includes titles like 'Adventure in Washington (Col)', 'Billie (MG)', etc.

Table with columns for film titles, genres, and dates. Includes titles like 'Mata Hari (M-G)', 'Wrinkler's Root (M-G)', etc.

Table with columns for film titles, genres, and dates. Includes titles like 'The Get-Away (M-G)', 'One Night in Town (Col)', etc.

Table with columns for film titles, genres, and dates. Includes titles like 'Time Out for Rhymen (Col)', 'Blaze of Glory (M-G)', etc.

Table with columns for film titles, genres, and dates. Includes titles like 'Sweetheart of the Canzons (Col)', 'Blaze of Glory (M-G)', etc.

Table with columns for film titles, genres, and dates. Includes titles like 'I Was a Prisoner on Devil's Island (Col)', 'The Big Show (M-G)', etc.

Another heady for exhibitors in the Bronx, N. Y., is new policy of admission price reduction to Starlight Park there. Entrance tap is 10c weekdays and 8c Saturdays, Sundays and holidays.

Livingstone

Continued from page 14. now tabu. 'Tobis and Alliance now have a picture in circulation with French dubbed titles.

The revue houses, with a Nazified style of French comedy, are cleaning up the market. The hit-time houses, so typical of Gay Paree, are openly classified whether for soldiers or officers, whether for French and/or German, etc.

Newreels are still projected to a light-up audience. Where the dieting formerly was, they now read their newspapers, in the lit-in their cinemas, now they are looking to do it in their homes, they hot or catcall. Alternative therefore is to close one's eyes—

The Richest Man in Town

Hollywood, June 5. Columbia Pictures' new production, "The Richest Man in Town," directed by Charles Brabin, is a comedy starring Charles Laughton, George S. Irving, and Charles Coburn.

This one shows what happens when an attempt is made to hang a picture on a "hot" actor. The feature in pad a one-reeler for the year's best picture.

Maxims, on the rue de Rivoli, famed sitting place, is the unofficial headquarters of the diplomat, h.q. of the diplomatique who comes anything. An exit visa for a Frenchman from occupied to uncoccupied France is 5,000 francs.

All non-Aryan businesses have been liquidated, coordinated or are being run under a strict curfew. A Jew or Gentile, if you have funds in Paris, they will be delivered to you in the American zone.

Warner Bros. release of First National Theatre. Directed by Frank Capra, "The Great Dictator" stars Charlie Chaplin as a Jewish barber who is persecuted by the Nazis.

MAN HUNT

where the novel's rep and change big Nazi agents might attract. The story is the tale of a young big game hunter and adventurer who goes to the most deadly jungles of Berchtesgaden to draw a bead on Hitler.

Walter Pidgeon is the Englishman hunted by the Gestapo in an effort to force signing a confession that his government was involved in the attempt to assassinate Hitler.

Production mounting throughout, but trimming of 20 feet has been suggested. The picture is what for better interest. It constituted 'It's an adventure tale of hunt for a top-notch actor, but for nominal bit on whole.

Table listing film titles and their respective studios. Includes titles like 'The Richest Man in Town', 'The Great Dictator', etc.

Film Reviews

Several slick performances and Noel M. Smith's intelligent direction make "The Nurse's Secret" one of the several top-bracket B's recently to emerge at the theaters.

Maximum of action is tempered by periscope (directed by Eddie Blain) and comedy relief. The police investigation is handled in a smart, human individual just in the nick of time.

Support is headed up by Ann Edmunds and Julie Bishop, as two of periscope (directed by Eddie Blain) and comedy relief. The police investigation is handled in a smart, human individual just in the nick of time.

PAPER BULLETS (WITH SONGS)

Producers Release, Hollywood, June 4. "Paper Bullets" (with songs) produced by Charles Brabin, stars Charles Laughton, George S. Irving, and Charles Coburn.

Several months ago the Kalamazoo made a tieup with Cecil B. De Mille for the latter's agreement to turn out film subjects for jukebox machines to be manufactured and distributed by the K-B organization.

Picture is a fast-moving melodrama that plunges along on a consistent pace to maintain general audience interest. It's a picture to support that—despite lack of the most critical adjectives.

Warner Bros. release of First National Theatre. Directed by Frank Capra, "The Great Dictator" stars Charlie Chaplin as a Jewish barber who is persecuted by the Nazis.



MAN HUNT

"They sat electrified, tense from start to finish, their eyes wide, their breath coming in gasps. Without question, 'MAN HUNT' out-thrills every thrill picture ever made!"

—Preview report from Academy Theatre, Inglewood, Cal.

with **WALTER PIDGEON • JOAN BENNETT**
and **GEORGE SANDERS**
John Carradine • Roddy McDowell • Ludwig Stassal
Heather Thatcher • Frederick Warlock • Roger Imhof
Directed by **Fritz Lang**
Associate Producer Kenneth Macgowan • Screen Play by Dwight
Nisdel • Based on the novel "Spies Walk" by Geoffrey Hounsfield

**OPENS AT THE ROXY,
N. Y., FRIDAY, JUNE 13
... A LUCKY DAY FOR
THRILL-LOVERS!**



"It's Up to Hollywood"

Continued from page 1

tered show business as did Bank Nite. The exhibitor, then the exhibitor and lastly the producer fell in line.

So far, Mr. Barnum's theory of 'one born every minute' is working well, but not the other way around. The public and have cooled to the easy money cycle, Mr. Lincoln's "You're on Your Own" and other people, etc. is the status quo, and all concerned are waiting for Hollywood to adjust itself to the new situation.

The pressure on the Hollywood producer is being torn down buildings to avoid paying taxes, the theatre business has enjoyed a leveling boom with many new theatres erected, and a great many of them are making no profit from the night and games of chance.

What's Going to Happen?

What is going to happen to these houses and also a new generation of showmen who roamin on the flood of Bank Night easy money. Will this stage ever well apply the theories of Darwin because it looks like his 'survival of the fittest' all over again.

This exhibitor, whose primary effort is devoted to the public, does not concur with the group findings of recent date that the reason for the present business depression is general uneasiness growing out of the war situation; or that fact that people are spending so hard they have no time for movies, etc.

A peek into the crowded theatre box office will tell this theory, and no good old 'mortgage lifter' picture will prove there's nothing wrong with this industry that the exhibition of B pictures won't cure' to paraphrase a movie spokesman of the past.

The allies of war jitters and overwork are in fact content with the picture unless the cinema is going to find its escape by means of alcohol which, in itself, is a bigger competing factor than we know (nearly \$1,000,000 was spent by 70,000 moviegoers in the purchase of four state-controlled stores; and the beer bill is probably higher).

Welles, Disney, et al. are not New York than most film executives know or will admit. By all odds George Lucas is the most intelligent is way ahead of Hollywood.

Welles, Disney, et al.

It is astonishing to find our citizens so well versed in Orson Welles' so keenly interested in Disney's "Fantasia". The phonetic effect of these gentlemen have made a deep impression on our public, which in the hearts of the public there is at least a relief from the Bank Nite hangover of B pictures.

It is also singular to note that throughout West Virginia in general, there is no interest in the OPM and other current distractions off the front page for that is our main preoccupation.

The public, however, is the greatest censor, being able to detect poor work in advance and avoiding the box office, accordingly.

Looking at the current situation from the angle of the exhibitor, it cannot help feeling the past season suffered from lack of outstanding pictures.

We needed another 'Gone With the Wind' another 'Rebecca' and another 'The Only big pictures kept us in business'.

Such a missed are Selznick, Goldwyn and to an extent Capra. Six pictures from this group would have made up the bill.

Our patient, the dear public, is now out of the Bank Night ether and the H.C. medicine has stopped injecting glucose in the form of pictures. The patient is dying, the doctoring is thinning.

The B picture is as unattractive as the A picture, and it does all the B's of our industry.

Department stores here are ahead of the exhibitor, they are not B-department stores are not selling B merchandise at A prices. The public is the better.

The two-hour luncheons at Lindy's,

N. Y. Hotel Astor's Hunting Room, etc. must give a closer relations between New York and the rest of the nation. The position houses of the past must give way to pictures that will stand on their own legs. This may well be the question whether the star-legend special makes their town or not.

The Howard Hughes, the Billy Rose, Orson Welles, Disney and others who believe that dignity belongs only in the funeral parlors of the dead, are the ones who will. The Will Rogers, the Shirley Temple, the Jean Harlow must be sought by exhibitors. Each type brings a wealth of new patronage into the theatres.

The year ahead is crucial. The 5-5-5 will only be as successful as the producers make it. Neither good pictures—nor honesty—can be legislated.

During the coming season, to quote an excerpt from an old Variety review, "the camera probes new pictures. This may well be the watchword of our industry, because it is young, healthy and ambitious. The new industry of new frontiers is to be crossed."

Give us pictures—exhibition will be the word, no later cannot carry all the load.

It's up to Hollywood!

Harrick on Dealism

Seattle, June 10.

Listed as reasons why big doesn't perk up faster, as this burg is one of the few in the country to have the union: (1), the draft has taken away many younger fellows, the draft has taken away many of the friends nearer as many dates; (2), time selling contracts on hurried, and (3), and even the low end of the new workers kept; and (4), so many working overtime with their hands and supposed to show after a hard day's work. This leaves the show business in a lull. And there are only two days at the weekend.

Other more direct reasons is given by the city manager of Seattle, H.C. Harrick-Evergreen Theatres, is that the public has soured on price inflation. The public is supposed to know ordinary prices, and so are 'off' the show due to price-warriors. The show business is not up and selling, as another assigned reason.

"Don't Ask the Public"

"We said it was the public's fault," Harrick. "This cure must come at the source, the studios. We showmen are not supposed to know our business and be experts in showmanship, asking the public if they will see the deal. It is wrong. It shows the patrons that we are floundering about and don't know what to do."

The 11 p.m. closing at all Harrick-Evergreen houses in Seattle—where the public is supposed to be working out very satisfactorily, reports Harrick. Those who want to see the main feature can arrive at the h.o. up to 9:30 p.m., and they are not kept up into the late hours, as the show closes at around 10 p.m.

Dan Frankel's \$561,000 Commish Suits vs. Pathe

A suit by Daniel Frankel against Pathe Film Corp. for \$239,400, and against Pathe Laboratories, Inc. for \$321,600, was filed in court yesterday in N. Y. supreme court. (Tuesday) in N. Y. supreme court, when Frankel applied to examine the books of Pathe Film, and Robert and Kenneth Young, director and vice president of Pathe Film, Inc. The relations will be argued on June 12.

Complaint charges breach of contract. Plaintiff was hired July 8, 1935, at \$50 weekly plus commission, to secure film printing work and to sell prints. Plaintiff secured \$239,400. He claims that he secured contracts totaling \$1,000,000 for Pathe Film Inc. and \$321,600 for Pathe Laboratories, Inc. The balance of \$239,400 is sought.

Contracts totaling \$2,410,000 were secured for Pathe Labs with commissions of \$46,200 due and \$35,850 paid. Plaintiff was to receive 10% against the same defendant it is charged that Frankel set a deal with Pathe Film, Inc. and Pathe Laboratories to give Pathe Labs all its work for five years. Pathe stalked until 1940, plaintiff claims, and he would have been entitled to commissions on \$1,150,000 of work. Plaintiff seeks an additional \$1,000 is sought for commission on work received after the termination of the contract.

CHECKING THE BLUES

Just Wait to Make Sure It's Just As Tough All Over

Minneapolis, June 10.

Local independent exhibitors are blind-checking the opposition houses on a scale unprecedented in local film history. The reason is bad business. With boxoffice activity on a low scale, exhibitors are more alive on their hands than in any one way that they are spending it. They also want to find out for themselves whether things are just as bad with the other fellows and whether the general singing of the blues is justified.

"Some theatre owners are so busy checking business at competitive houses they haven't time to check their own business," declared one branch manager. "They may wind up with a 100 per cent loss."

The independents previously had frowned on blind checking of their theatres by the films. Now they are more than willing to know their attitude toward each other when practiced by fellow-exhibitors.

Another 'What's Wrong With Pix Business Parley'

Chicago, June 10.

Through and general investigation into the causes of whatever is wrong with show business is planned by the local Allied organization headed by president Jack Kirsh. His call for a meeting of exhibitors at the Congress hotel here on June 18, to consider the various and varying problems under the general discussion topic of "What's Wrong With the Business?"

Through Kirsh the Allied group has invited all interested parties to participate in the open forum, and others of particular interest are out to all distributors and producers. In reply, a half-dozen film distributors have responded to the invitation to be present for a part in the open hearings, and several of the major studios have agreed to attend.

White Kirsh has planned no specific discussions, it is figured that the forum will take up all the problems of the industry showing business, primarily from the exhibition side of the situation.

Questions involved will be those of exhibitors, four factors are being lowing, radio, drive-in theatres, giveaways, union demands, clearance, picture quality, merchandising and advertising.

'Drag-Out' Fight Seen

Expected that many of these questions will be raised by the exhibitors with a may-drag-out fight, since the show business is loaded with people who are proud and who have their own viewpoints on what's wrong with the business and what should be done about it.

In fact, whenever exhibitors, distributors or producers get together, the question of price wars is always their chest, all of which may be conducive to some good new ideas off the ground.

Practical answer and result to some of the practical answer to some of the myriad problems now confronting the industry.

It is gathered that one of the key points up for discussions will be the lack of merchandising and enthusiasm of exhibitors of the association. Local leaders here feel that there is much selling that can be done that the exhibitors throughout the nation are failing to do. Comfortable houses, air-conditioning, fresh surroundings, multiple feature presentation, accepted as a matter of course by exhibitors and they have failed to do so. The exhibitors are not doing this. This has been particularly true during the past decade and it is expected that the exhibitors will bring out this point and try to awaken all forces in the industry to the importance of the value and importance of the old-time dynamic merchandising, exploitation and showmanship.

U. S.-Can Control

Continued from page 1

permit the Secretary of the Navy to issue regulations with respect to Johnston also attacked the bill as permitting punishment of 'absolute' to the Navy.

Legislation was first introduced Feb. 6 by David I. Walsh (D.) of Mass., chairman of the House committee at the request of the Navy Dept. Enthusiastically supported by the House officials was the Secretary of the Navy Knox.

Further restrictions—involving newspapers, newspapers, news columns, magazines and radio—were outlined recently by Admiral Harold G. Stark, Chief of War Operations in letters sent to commandants of all Naval Districts in the U. S.

Frisco's Waterfront Blackout

San Francisco, June 10.

A virtual newspaper, radio and press 'blackout' of Frisco's waterfront, which is in effect, will be both press and other according to government requests to lay off ship movements, civilian as well military. It appears probable that voluntary censorship will shortly be replaced by government censorship. Pages are eliminated entirely.

Latest screen example was 'The Navy' which covers the local waterfront strike situation. Even on footage allegedly okayed, names of ships were not shown. The film example local patrons have had of the lightening-up.

Canadian Coordination

Toronto, June 10.

Immediate control-measure of film, radio, tourist propaganda, press and advertising is being considered by creation by the federal government of a new Ministry of Information which would coordinate all information services now under the jurisdiction of the National Film Board, the Board of Censorship, the Canadian Travel Bureau, the existing Bureau of Information, and the Board of Censorship.

On the premise that those responsible for the dissemination of news should be coordinated, the government is able to secure information themselves because of governmental red tape in procuring. The consolidation of news-outlets here made in the past but have never been brought through by the government is hoped now to be obviated by the creation of a new member of the cabinet, the Minister of Information. Whether or not an experienced publicist will be appointed to the post remains to be seen.

Two prominently mentioned for the new cabinet position are Brooks and Douglas Abbott, social party politicians.

Label orries Cause Switch In Honky Tonk

Mystery of the single distributor's novel partnership with the cause shooting of 'Honky Tonk' last week and substituted a new scenario.

The picture, which is in some of the people depicted in the film, was discovered to be still alive. Studio publicity men warned that some of them might get into a book.

Source of the original 'Honky' was a libel. The Reign of Spite Smith, by E. V. Westrate and W. R. Collier, published in 1935, was the last year. It was biographical, Smith had been notorious Yukon character. Clark Gable and Lana Turner are in the film.

There's considerable picture interest in a novel partnership written by the late Thora Smith back in 1929 and recently completed by Norman Maclean. 'Honky' will be published by 'Witch', will be published by 'Witch' in August.

The picture, which appears set for a film buy is 'Low Man on the Totem Pole', by H. Allen Smith, 'The West' program feature. Idea is to build a picture around Brock. Jackdaw's Strut, written by Harriet Henry. It was originally planned in 1935, but was never made in 1935. It was a picture from the book was reused under what title to coincide with film release.

Disney Calls In IATSE Exec To Mediate Strike

Hollywood, June 10.

Walt Disney called on Harold V. Smith, chairman of the business representatives committee of the IATSE, to mediate the Screen Cartoonists' strike. The studio president presided at the meeting Monday (9) night of business representatives of the IA studio locals, with the situation thoroughly explored.

Fairly he confers with Herb Sorrell, IATSE local 107 rep and leader of the walkout in SCA.

Central Labor Council named a committee empowered to act on the consideration of requests to place Disney on the A.F.L. unfair list. No action yet taken on the Disney petition to the NLRB for election of employees nor on the SGC complaint against the studio on charges of unfair labor practices.

Understood that the delay is occasioned by the inability to obtain witnesses at this time.

More than \$100,000 in support to strikers was pledged by the Screen Actors Guild at a board meeting Monday. The board of the strike committee congratulated the cartoonists for "demonstration of courage necessary to make such sacrifices."

Newspaper Strip Hits

Los Angeles Daily News last week disclosed that the 'Duck' cartoon strip, distributed by King Features, because of the strike of the cartoonists, will be taken over by the Screen Cartoonists Guild. Robert L. Smith, exec. v.p. of the News, said the cartoon was dropped after the Los Angeles Newspaper Guild had called his attention to a clause in its constitution which required that members must not be required to handle the work of out-of-strike cartoonists.

The cartoon strip, which is syndicated by King Features, and copy of theatres where Disney cartoons are playing continues to appear in Los Angeles. The Los Angeles Express, which continues to run Disney's 'Mickey Mouse', it was said, is also being run by the Guild for discontinuing it.

LACROSSE ATT. IN PAR SUIT NOW SUES CLIENT

LaCrosse, Wis., June 10.

At the aftermath of the recently disclosed \$100,000 suit brought by LaCrosse Theatre Co. against Paramount, 20th-Fox, United Artists and others, Robert A. Hess, of Milwaukee, who was legal representative for the plaintiff, has filed his erstwhile employers for \$129,248 allegedly due him for fees and expenses. The suit was filed in four LaCrosse banks in garnishment action. Now the LaCrosse Theatre Co. has filed its answer to Hess' suit with a general denial of all allegations, contending that he owes it \$15,000. They assert they paid him in excess of a contract price of \$2,500, and that they owe no money. Hess proceeded the case against the firm companies.

Source of the counterclaim is ridiculous and is now preparing a brief Frank Koppelerberg, the LaCrosse theatre manager, up for an adverse determination which is to be cleared up, not only the financial statement entered into, but possibly the reason for the suit.

Koppelerberg and William Burdette, president of the company, to appear as witnesses in the suit. It is stated of their trial. Suit of the anti-trust suit was brought by the LaCrosse Theatre Co. in Federal court in Madison, Wis., when these two chief witnesses were subpoenaed to appear. It was held that the entire case was dismissed on the spot after having been pending for two and a half years. Attorney Hess asserts that the plaintiffs by their action, made it impossible for the LaCrosse Theatre Co. to conclude its contract to produce the action after he had laid out \$100,000. The suit is valued at \$100,000. Present proceedings are being heard in circuit court here.

Inside Stuff—Pictures

RKO'S NET LOSS FOR THE YEAR, \$695,416

Record Drought in Ga. Blacks Out Marquees, Douses Cooling Plants

The business 'Meet John Doe' has done on the RKO circuit, reportedly over average for late spring, is pointed to by opposition operators as vindication of the judgment of John J. O'Connor and Fred Meyers as managers of the film for RKO over the present, and past, season and others in the company. It was the negotiation of this buy with Warner Bros. which led to the resignations of O'Connor and Meyers, who, however, still suffered from the same criticisms in making their product deals, including on the Chaplin picture.

O'Connor and Meyers bought 'Doe' at 35%, whereas Warners is getting as much as 50%, a clear profit, it is estimated, on the deal.

Monogram has just paid off a \$300,000 bank loan and is operating in the black. Ray Johnston, company president, announced, denying that Mono has negotiations of any kind in work with Consolidated Films. Laboratory company, reputedly Consolidated, has been mentioned in the trade as likely to pick up the \$50,000 Monogram shares held by Pathe Film. Johnston stated that if Pathe stock is later bought by the company, it would be belonging to Johnston reserve fund. Monogram releases are completed or are in work to August, Johnston announced.

New arrangement between Joan Blondell and Columbia gives the studio an extension of time on preparations for her next picture, "Three Girls About Town." Film is the last of three under the contract and goes into production June 15, instead of May 28, as called for by the original pact. Producer is Sam Bischoff, and Leigh Jason directs.

Columbia Conv. Showed 6 of 41-42 Pix by Prez Cohn

Chicago, June 10. Decentralization of Columbia's selling was the principal theme of the final two days of the annual convention for executives, which was slated to close here tonight (Tuesday). A middle-of-the-road policy by home office execs and sales heads, as well as branch and division managers, was made known to the only for Saturday and Sunday (8-9), but was extended for the two additional days to permit fuller discussion plans.

Salesmanager Abe Montague, in explaining the policy of decentralization, declared, "It will make it possible for local salesmen to handle individual problems without red tape."

Conventions, which had been prepared on approval of product lines for 48 features and 16 westerns, were given previews of six of the new films for 1941-42.

Cohn told the salesmen to expect that Col must reach a goal of \$100,000,000 increase in business in 1941. In an endeavor to reach it, he said, the company will continue its efforts in the area of sales, in which it has fared best.

Cohn planned back to the Coast yesterday (Monday) with Alexander Hall, Col. director, who was present at the meeting. V. Jack Cohn returned to N.Y. today, accompanied by Irving Cohn, N.Y. division manager, Nat Worman and Saul Trauner, branch manager for the territory. Safran, western division manager. Other h.o. execs are due to pull out tomorrow.

Divisional sales meets will be held shortly for the salesmen.

COLUMBIA'S 9-MONTHS' NET DECLINES \$66,584

Columbia Pictures net profit for the nine-month period ending May 29 declined \$66,584 over like period in the previous fiscal year, company reports issued last week. The decline is due to increased production profit after all charges and provisions for Federal income and other items amounted to \$2,100,000 less than for \$2,414,348 in the nine-month period ended March 30, 1940. Cohn stating that from present indications it is expected that the company's operations during the fourth quarter will result in a profit.

Columbia's balance sheet reveals current assets of \$12,558,000 and current liabilities of \$10,700,000. Working capital is listed at about \$1,700,000.

Gross income from rentals and sales of film and accessories for the ninth month period ending May 29, 1940, earned surplus is listed at \$3,940,887 including undistributed production subsidies. The company is operating in foreign territories totaling \$600,294.

Radio-Kelth Orpheum Corp. reported net consolidated loss of \$695,416 for the year ending Dec. 31, after all deductions excepting provisions for Kelth debt and Orpheum deferred dividends. Company showed \$184,500 loss after similar deduction of \$109,139.

Financial statement of consolidated stockholders last week writes that the company's net loss accrued during the year on the cumulative provision preferred of \$1,000,000, plus interest on the same, as figured by RKO auditors, to \$988,191 and making the operating deficit for 1940 \$1,000,000.

RKO showed \$51,287,000 income from theatres, film rentals and sales. Amortization of films costs and expenses were figured at \$17,496,583, indicating the production headache continued most of last year.

RKO interest and discount came to \$1,145,750 during 1940, while \$120,000 was set aside for adjustment of shorting rights.

But one larger writeoff caused by RKO was the \$704,800 deducted for contingencies explained as representing net profits of added expenses of realized in U. S. courts. Also deducted \$177,959 as subside expenses related to defense of anti-trust action.

BRADEN'S COST AMPLIFICATION ON DEGREE

Planning to discuss the A-B-C's of film arbitration, explaining the machine of the deal and the experiences encountered to date on various cases, J. Noble Braden, executive in charge of the Motion Picture Arbitration Assn., left Friday (6) for Hollywood to attend the Motion Picture Arbitration Assn. convention now in session there.

He will address the exhibitor and other members of the assn. on arbitration as it is and will be functioning under the consent decree. Braden organized the arbitration set up for films, arranging for the 31 local tribunals that have been open since Feb. 1, 1937.

In both distributor and arbitration circles it is apparent that the vast majority are going to have concerns not only the decree but arbitration of complaints thereunder. Additional program has been instituted as to the costs involved something which it is expected Braden will attempt to clear up for them based on the cases so far heard.

14th N. Y. Complaints

During the past week a 14th complaint was filed in New York. The Cornwall Amusement Co., operating the Storm King at Cornwall, N. Y., has filed a complaint against distributors for granting unfair clearance over it to the East. It is the Ritz circuit, which are in the Gene Levy-Paramount partnership.

Additional program has been instituted as to the costs involved something which it is expected Braden will attempt to clear up for them based on the cases so far heard.

An interesting sidelight in connection with the first complaint brought by a Washington, D. C. theatre, that is, that James V. Rowland and Robert Sherwood, operating the K-B Amusement Co. in Washington, D. C., in private law practice in Washington, Hayes and Sher were formerly at the office of the Dept. of Justice and figured prominently in the negotiations leading to the consent decree.

The Washington indie theatre names only Metro in its complaint. The consent decree is a four-year unfair clearance (unstudied) by three Warner houses in the Capital, the Calver, Uptown and Avalon.

Trining Rides Herd

Hollywood, June 10. James Tilling climbed into the director's saddle on 'Riders of the Dawn', second of four low-budget starring Gene Gale, Sol M. Wurtzler's 'The Riders of the Dawn' is in unfair clearance (unstudied) by three Warner houses in the Capital, the Calver, Uptown and Avalon.

New Touches at U

Hollywood, June 10. Appropriation of \$180,000 assures continuance of Universal's plan to modernize its sound stage. The company has started on a new building to house 30 writers and directors. Other improvements at a new pre-approval vault building and complete modernization of the machinery and prop departments.

COL. U AND UA MOPPING UP IN MINN.

Minneapolis, June 10. With Metro, 20th, Warner and RKO laying off selling in Minnesota because of the state anti-consent decree, exhibitors are deluged by United Artists and the Independent distributors are making hay with the sun shines. These non-signatories to the decree are waging intensified selling campaigns and reports of recent business are bright.

Fearful that they may not get a chance to buy the decree companies' products, exhibitors are deluged by grabbing what they can get and fortifying themselves as best they can with the word "the worst comes to the worst."

Mich. Bill Dies Detroit, June 10. Michigan's Snow Bill, designed to void the consent decree in this state, finally died in the Legislature. The bill, patterned along the lines of the Minnesota anti-five block measure, was killed by the State Affairs Committee of the upper house which held it up until the adjournment.

Chief reason for holding up the bill in the Senate was that it had been passed by the House in its original intent was concerned. This does not imply the Senate was lined up for anti-consent legislation, but rather, there was no need for voting it down.

Although passed by the representatives, the author's intent had been changed. Instead of wiping out the block-of-five provisions in Michigan, an amendment was tacked on to the bill by the house, which required exhibitors to make the bill conform with the decree. The Senate felt there was no need in bringing up for vote a bill which would matter how the vote went, pre-empted the status quo.

TITLE CHANGES

Hollywood, June 10. "Flesh and the Devil" tag, on "The Devil and Daniel Webster" at RKO.

Metro switched from "Ghost God" to "Ghost Treasure."

Warner's "The Sign of the Cross" became "Lydell."

"Meet the Viking" at RKO went back to its original title "The Viking Falcon."

21 DAYS CLEARANCE CUT DOWN TO THREE

Denver, June 10. E. K. Menagh, owner of the Star, Ft. Lupton, got results in his arbitration hearing. He won a 21-day clearance drop in the Rex at Brighton, six weeks distant. After taking the case under advisement, arbitrator John Carroll, former district attorney, cut the clearance to three days. The case was originally against all five signers of the decree, and also involved alleged withholding of films, but this charge was dismissed.

Metro settled its case and withdrew, while the charges against 20th-Fox were dismissed when it was shown they were not guilty.

Exhib Loss on Clearance

Cincinnati, June 10. Clearance not unreasonable. So decided Judge Stanley Matthews of the Hamilton County Court of Appeals in ruling on the consent decree of complaint by Willis Vance, operator of the State, Newport, Ky., under the consent decree. The case was against Paramount, 20th, Warners and Metro, with the local exhibitor in the case, Theatre, Newport, as intervener.

It was the first hearing by the new tribunal of the State theatre, Newport, which dates have not as yet been set, will be on complaint of Fred W. Rowland, operator of the case, and Main theatres, Columbus, against Metro, RKO, Paramount, 20th and Warners on the point of clearance.

Philly Clearance Best

The seventh complaint was filed last week with the Philly arbitration panel, by Herman Epstein, operator of the Habtoro, Habtoro, Pa., against the major distributors and the Stanley Warner at Willow Grove now has seven days' clearance over the Habtoro. Epstein is asking the right to play product under the Willow Grove house.

Joe Auerbach's \$14,805 Claim on Grand Nat'

Joseph Auerbach filed suit Thursday (5) in N. Y. supreme court against Grand National Pictures, Ltd. seeking damages of \$14,805, alleging failure to pay back borrowed money. Grand Nat. acquired the debt from Grafton Films, Ltd. Auerbach claims he loaned \$3500 to Grafton and one Laidore Laidore, who in turn loaned \$10,000 to Grafton. Grafton and Grand National made a deal whereby GN Pictures bought the debt and gave Auerbach a 25% interest in the receipts from Metro Ltd.'s distribution of "The Lone Star" and "The Lone Star" rights in "I Killed the Count." None of the money has been paid, the suit charges. Auerbach has lawyers as attorneys for Auerbach.

LUM-ARNE REPEATER

Hollywood, June 10. Chester Lauck and Norris Gott, Lum and Arne, are planning to return to make a second picture for RKO release. Filming is slated for early August at the Pathe studios. Their first screen feature was "Dreaming Out Loud."

New York Theatres

LAST WEEKS
FA
 HELD OVER 24 & 24
 BROADWAY 61-155
 10th Ave. N.Y. 13-7674, 10th Ave. 10-7271

2ND WEEK
"Million Dollar Baby"
 A New Warner Bros. Hit Starring
 Patricia Lane & Jeffrey Lynn
 with
 JERRY PERSON
LES BROWN and His Orch.
 Broadway
STRAND B'way 67 St.

HELD OVER 24
 24
 HELD OVER 24
 24
"LOVE CRAZY"
 A Metro-Goldwyn-Mayer Picture

ORSON WELLES
"CITIZEN KANE"
RAVE
 HELD OVER 24
 24
PALACE

State
 HELD OVER 24
 24
"LOVE CRAZY"
 A Metro-Goldwyn-Mayer Picture

PARAMOUNT
 HELD OVER 24
 24
"LOVE CRAZY"
 A Metro-Goldwyn-Mayer Picture

BROADWAY
"SUNNY"
 Spectacular Stage Productions

BROADWAY MUSIC HALL
"SUNNY"
 Spectacular Stage Productions

'DOC' BRINKLEY DEFERS TO O'DANIEL

San Antonio, June 10. Goat gland operations wholesaler and ex-broadcaster John R. 'Doc' Brinkley, after conversing with the state's attorney, will withdraw from the race for the Texas nomination as United States Senator. He is presently starting in a bankruptcy case resulting from the tangled affairs of his Mexican high powered radio station, his hospital for hillbillies and the miscellaneous enterprises revolving around his surgical Radio City at Del Rio, Texas, across the border from Mexico.

In deciding not to seek the toga, 'Doc' Brinkley has written a letter to W. Lee O'Daniel, self-broadcaster of Texas, who was elected Governor of Texas strictly on radio popularity. 'Doc' says to the Gov. in effect, 'I'm it away, I see, you want you, not me.'

Examining For Office

New series to be aired by station KRSA from Johnson City, Texas each Tuesday, Thursday and Saturday and fed to the Lone Star Chain will originate in the town's barber shop. Jim Mitchell will produce, reading citizens as they come in for their daily shave. Musical entertainment by the barbers will be heard on a hillbilly band.

Program is sponsored in behalf of the Red Cross by the Johnson City United States Senate.

Quiz-and-Guess Formula Ushers Standard Oil Of Indiana Back to Air

Chicago, June 10. Standard Oil of Indiana returns to the ether as a big night-time quiz buyer on July 18 with the sponsorship of another quizer, Will we have 40 NBC-Blue outlets and originate in Chicago each Friday for 30 minutes at 7 p.m. CDST.

New show is tagged 'Audition Quiz' and is set through the local McCann-Erickson agency under the wing of new Chicago radio chief, Ed Thomas. Show will get a short sustaining planting by NBC starting July 18.

Bobby Brown and Chuck Acee will handle the show mink for the program, which will give away coin in amounts from \$25 to \$100 to some eight contestants.

They get as much as they bid; if they lose, the listener who sent in the proper query gets the auction prize plus a \$n.

Sell Furnaces on Red

Chicago, June 10. Holland Furnace Co. is going to plug its winter product over a seven-week summer period, which is the time furnace installations usually occur. Through the local Ruffalo-Ryan agency has purchased seven 30-minute periods on the NBC-Red at 7 p.m. CDST, starting July 17.

Will be a musical-type orienting in Chicago.

British Radio's War Dead

Since the outbreak of hostilities in September, 1939, some 29 members of the staff of the British Broadcasting Co. have lost their lives. Of these 10 were killed in action, at least eight died while on duty in Broadcasting House, London.

Throughout the obituary data below it will be noted that the lethal touch of the Nazi bomber brought death in majority of cases. One BBC staffer was aboard the

ill-fated armed merchant cruiser 'Rawalpindi' in 1939 and another died in France while with the British Expeditionary Force as a gunner. A Polish stenographer employed to type news in her native languages for BBC broadcasting and a German translator-transcriber are among the 29 on the BBC Roll of Honor to date. The full list, only now available, follows:

Table with columns: NAME, POSITION, IN, KILLED, MANNER. Lists names and details of deaths for various BBC staff members.

Holly Shively Heads New John Blair Experiment

Chicago, June 10. Holly Shively comes into the John Blair station rep outfit to head a new department which will concern itself with station creative sales development.

Miss Shively was formerly manager of the Chi Lord & Thomas radio department and previously had been with the Columbia-WBBM of publicity and special events.

BRAD REYNOLDS ON FORD

Brad Reynolds, tenor, has been booked on the Ford Summer Evening Hour for June 15.

The tenor will appear opposite Mema Poles, Entertainment Auditorium winner, in a program of light classic music.

NEW DEPARTMENT AT WLW

Under Robert Savage—Staff Duties of Many Realigned

Cincinnati, June 10. In realigning the merchandising and research divisions of WLW, under Robert Savage, W.F.W.O. Robert E. Dunville, general sales manager of Crosley stations, created a new department to handle all advertising and promotional material. It is headed by Robert Savage, in the merchandising department for the past two years.

The station promotion department is being dropped by W.F.W.O. Robert E. Dunville, who directed it, becomes head of the grocery division in WLW's new expansion department.

Belush Strawhay heads the merchandising and research department. Her assistant on merchandising is Joe Tiner, formerly W-L-H. A representative at Columbus, with Stewart Lewis on research work.

Milton Allison, who joins the Crosley organization six months ago, heads the station promotion activities. His assistant is Richard Ruppert, formerly WSAI sales promotion manager.

J. E. Rudolph remains in charge of trade extension department's drug division.

LEON LEVY MAY RESUME IN NAVAL INTELLIGENCE

Philadelphia, June 10. Dr. Leon Levy, WCAU proxy, is expecting a call to active duty in the U. S. Naval Intelligence within the near future. Dr. Levy holds the rank of Lieutenant-Commander. He served in the Navy during World War I.

He has been giving much of his time in recent weeks to the service, specializing on radio communications and press relations.

Grauer, Hicks, Hawley Doing an Alfresco Yowl

'Tomorial' 'Twitterbug' quartet, composed of radio announcers Ben Grauer, Graeger Hicks, Mark Hawley and Harry Von Zell, is set to exercise its respective tonils next week at Central Park, N. Y. Grauer, et al, have entered themselves in the annual Barbers' Strip Quartet contest to be held at the Park Mall June 10.

Announcers have had their group working for some time. Last year they made an appearance on several radio shows, among them Consolidated-Ed. Fishes of New York on NBC's Red. Of late, however, the yowling has been dormant and is to be revived for the Park occasion.

Parker House, Boston, Using Radio

Hotel Pique Idea That Beantown 'Is a Browning Town'

WNAX V-P. NOW U.S.A.

Yankee, S. D. June 10. As a Gift and general manager of WNAX, has joined the 4th U. S. Cavalry Reserve on active duty. He is a second lieutenant. Station's staff gave him a going-away dinner and portable radio.

At Knapp, WGV, Schenectady, engineer, is back on the job after three weeks' layoff caused by a misplaced vertebrae.

PILLSBURY SET FOR BLUE IN FALL

NBC-Blue last week obtained a new piece of business with a fall starting date. Account is Pillsbury and contract is for 10-15-15 on Thursday through Sunday. This series begins Sept. 11.

'Houblian' by Geo. Corey Showcases July 14 On CBS' Summer Forecast

Columbia's 'Forecast' series will for its July 14 broadcast offer a serialized version of George Corey's 'Tibby Houblian'. The episode will run a half hour and Corey is making the adaptation.

'Houblian' was given a showcase performance by the Experimental theatre, an Equity-financed group, at the Belvue theatre, N. Y., several weeks ago.

Peter Goldmark of CBS Addresses AFRA, N. Y.

New York local of the American Federation of Radio Artists will hold its quarterly meeting at 8 o'clock tomorrow night (Thursday) at the Astor hotel, N. Y. Bill Adams, local president, will preside and the principal business of the session will be nominations for representatives to the national convention.

In addition to consideration of routine matters, there will be a talk by Dr. Peter C. Goldmark, who developed CBS color television.

Samson, Leon Turrou On Ed Wolf Roster

Radio signals to 'Junior Miles', 'Teddy Allen' and 'Ed Wolf' were featured as a Book-of-the-Month Club and previously published in the New Yorker magazine, have been bought by Ed Wolf Associates. Pieces will be scripted as a half-hour series for writing, with the authress supervising.

Wolf office has also signed Leon C. Turrou, former chairman and author of 'Confessions of a Nazi Spy', to supply new material and collaborate on a new series. The series to be called 'The Enemy Within', dealing with foreign espionage in America.

In addition, the office is reading a new 'Whetena Playhouse' series. Number of stories and plays are being submitted to the sponsor this week. Like last year, the shows would be recorded in their own homes and would run three to five weeks. It may start airing in the fall. Compton is the agency.

Jesse H. Buffam, CBS New England farm director and editor of the 'New Englander', is a member of the Air, will spend vacation at his farm, and Louis Webster of the Mass. Department of Agriculture will pinch-hit.

Procter & Gamble's Night Buys

Into the Spot Announcement Market on a Pre-emptive Volume Scale

Procter & Gamble becomes the latest soap manufacturer to enter the night spot field on a grand scale. The account has asked stations which carry its daytime series, to give it first crack at any channels available for night-announcement spots which become available on their night-time schedules.

The indications are that the Compton agency on examining available time for P & G will be particularly interested in those spots adjacent to network programs with ratings of 10 or better. Stations involved have been asked to notify Compton as soon as a spot of this description becomes available.

CLEVELAND SIGNS A.F.M.

WGAR Adds One Man—WBKR-WCLE Resister Unchanged

Cleveland, June 10. WGAR signs new contract with musicians' union that will add one man to Walberg Brown's staff orchestra in the fall, making a total of ten studio musicians for the 1941-42 season.

No changes made by the local in next year's terms for WHK and WCLR. William Post continuing to keep crew of 16 men handling music for twin stations.

Mediation May Prevent WKRC Strike

Many From AFRA Locals Converge on Cincinnati in Drive for Contract

Cincinnati, June 10. — A strike by the American Federation of Radio Artists at WKRC, Mutual affiliate, authorized by members of the Cincinnati chapter at a rally Wednesday (4), has been delayed via the conference route, leaving the threatened walk-out uncertain. Conflicting reports about the status of AFRA and non-AFRA announcers, dramatic people and singers at the station come from both sides. Hyman R. Faine, national field representative for AFRA, claims a majority for members of his group at WKRC and also at WCKY, WSAI and WCPD, other Cincinnati stations that have not as yet entered into agreement with AFRA. WLW, big brother of WSAI and whose affiliation is in its second year of alignment with AFRA.

The day the rally was held, 13 WKRC employees, designated as the Radio Artists Association, filed a petition with WSAI and the Cincinnati Board asking that the group be granted bargaining power at the station. On the preceding day, AFRA filed with NLRB a complaint charging intimidation by the station, through its allies, including Robert Taft, Jr., WKRC general manager, and AFRA rep conferred with William Phillips, NLRB regional director, who was named mediator. At a meeting Monday (9), AFRA's former Robert N. Spangler and Taft conferred on the matter of AFRA shop. It was to be followed by another session concerning AFRA. Word from WKRC was that its management, in trying to put the station back after an aborted walk-out, to be fair on salaries to employees and likewise didn't want a walkout. Phillips stated that AFRA is endeavoring to be patient in reaching a peaceful solution.

The rally was attended by 70 members of AFRA's Cincinnati chapter, for which Faine claims 120 members. Present were also the following: WSAI, WKRC, employees of that station. It was held at night in the Union Hotel. Speakers were Emily Holl, AFRA national executive-secretary; Faine, Ray Jones, executive-secretary for AFRA, Chicago local; Glen DeLaney, AFRA's executive-secretary in Detroit; Nellie Booth, AFRA's executive-secretary in St. Louis, and Gorman, the Cincinnati chapter's leader. Telegrams of support were read from leaders of unions in the stage, school and other fields allied with radio.

Faine is also negotiating with WCKY, WSAI and WCPD for agreements while the WKRC deal is on the fire.

Sunday Matinee For 'Invitation to Learning'

'Invitation to Learning' is being made on Sunday afternoon, 2 p.m., starting June 23. CBS top-of-the-pyramid highbrow now broadcast on Tuesdays. Alan Tate is away for a month on vacation. Otherwise three main-tenance men, including William E. Cairns and Mark Van Doran.

Oison Moves to Bev Hills

Waukegan, June 10. — Johnny Oison leaves WTMJ this week to go to KMPC at Beverly Hills. He will be replaced by his weekly Penn Tobacco show via WTMJ and a network of seven state stations. Oison has been in charge of 'His Parade of the Bands' participating program at WTMJ will be taken over by other station announcers.

MARGARET LINDSAY WEST — Margaret Lindsay, currently in the east for a series of radio guest dates, leaves for the Coast by motor the end of next week. She's due to start work on the next Elreen Queen picture for Columbia early in July. Lindsay is being prepared for another assignment to follow that.

Kaltenborn's Coast Sponsor

Hollywood, June 10. — Albers Milling Co. will sponsor H. V. Kaltenborn from Salt Lake via an NBC hookup of 14 stations. Eastern bankers for the news commentator is Fur Hill. NBC takes him off the line at Denver three times a week.

Reuters-(British) News Service Direct to KYW

Philadelphia, June 10. — After a 10-day test, KYW last Friday (6) signed a contract with the Reuters News Service, making the outlet the only one in the U.S. with a direct line with the British news agency. In addition to Reuters' news, KYW now has Associated Press, United Press and Western Union Sports tickers in its newsroom. The Reuters service is short-waved from London to New York and relayed by teletype machine to KYW.

KYW now has Associated Press six 84 news programs weekly, with 46 newscasts, totaling five hours, sponsored.

Guy Lombardo Orchestra Overlapping Contract Snarl With 2 Sponsors

Lady Esther and Colgate-Palmolive-Peet are tussling for the sponsorship of Guy Lombardo. Former account now bankrolls the band Monday nights on CBS and C-P-P will back him Saturday nights on the same network, beginning July 5. Chances are that the Lady Esther tie will end with the June 30 broadcast, but there is an outside chance that the band may continue both series to the fall.

Gregory Williamson, Pedlar & Ryan radio head, said yesterday (Tuesday) that Lady Esther has options to hold Lombardo at least through July and possibly until the end of September. He indicated that the cosmetic account would not object to having C-P-P also sponsor the band. Williamson said the latter series would plus Colgate's Toothpaste, not a competing product. But dates is the agency for C-P-P.

Story of Bess Johnson, another C-P-P show character, was director June 30, when it moves from Ward Wheelock to Bess, Marjorie. By dissatisfying her and makers suggesting based on her own terms to leave. She says she goes into effect. We have felt that they must assume that she will be replaced by another with a reasonable chance of beating him. They feel that once she has been replaced, the C-P-P's ambitions to change radio from its former status in favor of the networks will follow.

INNIS OSBORN DIES

Radio Writer, 58, Had Been Ailing For Some Time

Innis G. Osborn, radio scripter and former publisher, died May 26 at his home in New York. He was 58 and had been ill for many months, but was recently reported on the road to recovery. He is survived by his wife, Olga Braesten, and two brothers. Osborn's feature plays was 'The Seventh Guest,' a murder mystery that was extremely popular. He had written many little theatre groups. He authored a number of 'Cavalade of America' radio plays. He was also a writer for 'Figners,' adapted from Paul de Kruif's 'Microbe Hunters,' and many other radio programs. He died suddenly of coronary artery P. C. for a time and was a member of the NBC script staff.

LIVER NEEDS FOR COAL

FLY WINDS UP

Washington, June 10. — Louis G. Caldwell and Fred Weber, counsel and general manager respectively of the Mutual Broadcasting System, were the first industry witnesses before the Senate Committee which will decide whether to report out or kill the White Resolution. AFRA Chairman James L. Fly held the stand during the first three days of testimony (last week) and again Monday. The Mutuals followed today (Tuesday) to back up Fly 100%.

Caldwell and Weber declared that a Congressional investigation of the FCC was unnecessary, "that the anti-monopoly rules to which NBC and the subject will be subjected to all that affiliate exclusively and optionally be dispensed with. In addition, mutually deprecated any delaying of the FCC reforms."

Admission that Mutual adopted restrictive clauses in self defense when Transcontinental threatened to snitch outlets was made by Caldwell in asserting there would be no confusion in listeners minds if outlets carried programs from various webs. Caldwell's setting up of world service in asserting there would be no confusion in listeners minds if outlets carried programs from various webs. Caldwell's setting up of world service in asserting there would be no confusion in listeners minds if outlets carried programs from various webs. Caldwell's setting up of world service in asserting there would be no confusion in listeners minds if outlets carried programs from various webs.

No serious duties in the existing statute were admitted by Caldwell. Present tendency of Congress to legislate specific rules in whole, since it ends shadow boxing and licensees know just where they stand.

Congress cannot lay down detailed list of verboten practices, Caldwell declared. That was tried back in 1922 and didn't work out. Radio is too rapid-growing to cover everything in the statute. The barrier to the Tribunal of experts and then review every controversial action. If the commission isn't doing an end job it ought to be replaced. Don't interfere but the courts should not 'rammed with administrative discretion.'

The feeling here is that Fly is scoring cleverly against the industry. By dissatisfying her and makers suggesting based on her own terms to leave. She says she goes into effect. We have felt that they must assume that she will be replaced by another with a reasonable chance of beating him. They feel that once she has been replaced, the C-P-P's ambitions to change radio from its former status in favor of the networks will follow.

Defeatism grew between the Wednesday adjournment and the adjournment of the hearing, but despite whispers and rumors that CBS-NBC high commands were reporting hold-out.

(Continued on page 22)

Civic Boast of St. Louis Omitted

Coal Institute Asks Bowers Not to Praise 'Debatable' Improvement of Smoke Nuisance

Lawyer Q' Folding

Lorillard drops its support of World Broadcasting's proposed 'Lawyer Q' on WZZ, New York, July 1. No decision has been made about returning it to the air in the fall. Q has been using the Tuesday 7:30-8 p.m. spot. Was previously on WOR.

Model Working Code for Writers Up for 4A Vote

Proposed code of fair practice for free-lance commercial scripters, tentatively worked out by negotiating committees for the American Assn. of Advertising Agencies and the Radio Writers Guild, will be submitted this week to the governing bodies of the two groups. Four-A board will meet Monday (Tuesday) and the Guild council in New York and Los Angeles are considered to meet Wednesday.

The Guild council in New York and Los Angeles are considered to meet Wednesday. The Guild council in New York and Los Angeles are considered to meet Wednesday. The Guild council in New York and Los Angeles are considered to meet Wednesday.

Newspaper Ownership Issue Seen Delayed Until Fall or Later

Washington, June 10. — Postponement of the Federal Communications commission's proposed probe of the newspaper-ownership situation until sometime next fall was strongly indicated today.

Although pow-wow has been set for June 25, Commission is expected to discuss the issue in its next meeting, particularly since the industry is currently immersed in hearings before the Senate Interstate Commerce Committee which may drag on for several weeks. Formal request for postponement probably will be made by Harold Hough, head of WBAF, Fort Worth, and friend of Secretary of Commerce Jesse Jones.

Commission desire to investigate joint control of newspapers and radio stations is being stemmed from a desire to evaluate the situation before any large investments had been made in the field of new FM service. Did not mean to imply that it is opposed to newspaper ownership of radio stations in general.

Belief that a substantial portion of the testimony could be taken at public hearings skedded for the end of this month was expressed by the Commission in its announcement, but warning was delivered that the airwave cops might 'schedule subsequent hearings to permit the development of more extensive studies.'

NEW COURT FOR SUIT

Marie Sullivan- Erickson Is Against McCann-Atkinson Agency

A suit by Marie Sullivan against McCann-Erickson Inc. was transferred Wednesday (4) from the N. Y. supreme to the N. Y. federal court, where it is being heard. The plaintiff seeks damages of \$10,000 for alleged breach of contract.

McCann-Erickson had submitted an offer for a radio serial to the agency, which promised to whip it into shape and submit it to William Wright, Jr. Co., for sponsorship. Plaintiff claims neither promise was carried out.

St. Louis, June 10.

St. Louis didn't get a pat from Major Edward Bowes last Thursday night (5) for its solution of the smoke nuisance because of a protest that has been interpreted by the Solid Fuel Institute, which is composed of Southern Illinois companies. Bowes had been slated to mention this as one of the town's assets in his community Boost, but Richard F. Wood, Institute manager, advised Chrysler and CBS that smoke elimination comes under the heading of controversial subjects.

Wood's wire was as follows: 'Request and urge respectfully deletion of any reference to St. Louis smoke program, the efficacy of which is debatable and highly controversial. Any reference to the fact that we will antagonize and create resentment in every highly volatile coal producing community in the United States and among hundreds of thousands of miners of coal, home-firing of which is prohibited by the Louis ordinance.'

Mary Margaret McBride Program Not Continuing; Florida Paid \$650,000

Tampa, Fla., June 10. — Mary Margaret McBride, New York radio manager, and the Florida Citrus Fruit advertising fund have agreed to discontinue the program.

McBride's show, however, will only antagonize and create resentment in every highly volatile coal producing community in the United States and among hundreds of thousands of miners of coal, home-firing of which is prohibited by the Louis ordinance. Existing contracts provide for continuation of the program during a 13-week cycle beginning July 7. CBS and Miss McBride were given notification by June 4. The Commission is expected to discuss the issue in its next meeting, particularly since the industry is currently immersed in hearings before the Senate Interstate Commerce Committee which may drag on for several weeks.

Formal request for postponement probably will be made by Harold Hough, head of WBAF, Fort Worth, and friend of Secretary of Commerce Jesse Jones. Commission desire to investigate joint control of newspapers and radio stations is being stemmed from a desire to evaluate the situation before any large investments had been made in the field of new FM service. Did not mean to imply that it is opposed to newspaper ownership of radio stations in general.

Belief that a substantial portion of the testimony could be taken at public hearings skedded for the end of this month was expressed by the Commission in its announcement, but warning was delivered that the airwave cops might 'schedule subsequent hearings to permit the development of more extensive studies.'

McCann-Erickson had submitted an offer for a radio serial to the agency, which promised to whip it into shape and submit it to William Wright, Jr. Co., for sponsorship. Plaintiff claims neither promise was carried out.

Bracken-Kraft Break Deal

Hollywood, June 10. — Don Ameche starts his summer show on Kraft. Must be broken to do a few guest shows at Jety. Lester will likely alternate with other comes during the August period.

From the Production Centres

IN NEW YORK CITY . . .

Arlene Francis has replaced Peggy Conklin in the femme lead in "Life With an Everet! Smith and Paul Wynn are recast out additions. . . Tuesday (17) night's "Grand Central Station" script is by Will McCormoy. "Joe Teitel will play the lead. . . Leggett Brown, trying to talk Robert Sterling into going into a series as a writer and actor. . . "The Advertiser" light for Alfred Lunt-Lynn Fontanne. . . Wynn's Cooper, already scripting the "Good Neighbor" program, will collaborate with Phil Hillyer on the "Treasure Hunters" series. . . "The World's Best" series on CBS. . . Esther Rejzstein, actress-jinger on WBVN, slightly injured Thursday (8) when struck by a truck.

Miss Meredith Willinger will be the guest leader. . . "Green Show the Lilacs" for the season's finale of "Campbell Playhouse" this Friday night (11). . . Miss Walker will repeat the part she created in the original Broadway production. . . "Ranald MacEwan" "The World's Best" dramatic series goes back on NBC blue (WJZ) tomorrow night (Thursday) with an adaptation of the Dickens short story, "The Bagman's Night." . . Klessewriter agency will probably dictate this week about submitting another program to Penn tobacco for "Pop Vox," which goes to Bromberg-Seltzer after two more weeks. . . It's a top-up whether the account stays in radio or sticks exclusively to mag and newspaper space.

Axon-Fisher tobacco (20 Grand cigarets) has renewed "Your Happy 30thday" through mid-September and continues the same name-guest policy. . . Milton Berle and Simone Simon are on the show this week and Mark Linn-Baker will be next. . . There is also the "Admiral Family" tomorrow night (Thursday). . . Maxine Keith, who did "From Me to You" series on WPM, now handling all female shows at WOV and doing 25-minute show "Eve's Evening" week. . . Beverly Bayne and Ed Jerome added to "Penny Young" cast. . . Sandra Michael and John Gibbs to "The Girl of the Year."

Yve Rattner will throw a party tonight (Wednesday) to celebrate his birthday. . . WMCA hands Bob Goldstein directorship of its artists bureau—she's been a staff salesman for two years. . . Eugene McCall making advertising contracts through new company. . . "The World's Best" series on Choral Society of the Paramount Pictures Club, comprising 40 episodes, makes its radio debut tomorrow (Thursday) night over WBNE. . . "The World's Best" series on Choral Society of the Paramount Pictures Club, comprising 40 episodes, makes its radio debut tomorrow (Thursday) night over WBNE. . . "The World's Best" series on Choral Society of the Paramount Pictures Club, comprising 40 episodes, makes its radio debut tomorrow (Thursday) night over WBNE.

Martha Tilton, in from the Coast for brief visit, does her show over WABC tonight (Wednesday) with Helen Steward. . . "The World's Best" series on Choral Society of the Paramount Pictures Club, comprising 40 episodes, makes its radio debut tomorrow (Thursday) night over WBNE. . . "The World's Best" series on Choral Society of the Paramount Pictures Club, comprising 40 episodes, makes its radio debut tomorrow (Thursday) night over WBNE.

Sandra Michael interviewed over WICC, Bridgeport, Conn., last week. . . Douglas Way has resigned from the WWJL announcing staff to take a check for AFSA. . . Gene English, CBS engineer formerly in New York and now employed in Detroit, is readying for Phil Baker. . . "The World's Best" series on Choral Society of the Paramount Pictures Club, comprising 40 episodes, makes its radio debut tomorrow (Thursday) night over WBNE.

Maurice C. Dreier back from six-week vacation and resumed his marathon broadcasting over various radio stations. . . Jerry Seelen, Dan Shapiro 'Big Town' has collected material for his new Hollywood studio, east of Los Angeles. . . "The World's Best" series on Choral Society of the Paramount Pictures Club, comprising 40 episodes, makes its radio debut tomorrow (Thursday) night over WBNE.

IN HOLLYWOOD . . .

Edward G. Robinson, Crane Wilbur, editor-producer, and all hands on and picks up again Oct. . . KECA jumped its bedtime jump from 1,000 to 5,000 watts with all the secret of a hot sales lead. . . Maury Webster, AFSA announcer, goes to the AFSA office this week. . . Dito Cariton Selick of KHJ. . . Hedda Hopper. . . "The World's Best" series on Choral Society of the Paramount Pictures Club, comprising 40 episodes, makes its radio debut tomorrow (Thursday) night over WBNE.

IN SAN FRANCISCO . . .

Austin Fenger, new director of KFSO Farm Journal, actually grows KGO-KOZ tied in with National Hotel in peers and grazing land. . . "The World's Best" series on Choral Society of the Paramount Pictures Club, comprising 40 episodes, makes its radio debut tomorrow (Thursday) night over WBNE.

Edward Jensen Returns

To Tacoma in 60 Days

San Francisco, June 10.

Edward Jensen, currently on KFSO's sales staff, leaves within 60 days to become general manager for Tacoma, Wash. . . Jensen, who has been given the go-ahead for a new 250-watt station on 1490 K. contract for the Tacoma station. . . Jensen, who has been given the go-ahead for a new 250-watt station on 1490 K. contract for the Tacoma station.

Mutual Backs Fry

Continued from Page 21

to the position that they had no alternative to do fight Fry. . . The Senate group's preliminary consideration of the White resolution tended to become a matter of "either do this or else."

With good understanding of the way many Senatorial minds work, Fry hopped constantly the allegation that the Commission is only trying to help the little fellow and prevent the big New York corporations from exercising undue influence economically, socially and politically.

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Parsons Show Goes On

Continued from Page 21

Louella Parsons' Hollywood Premier Series Friday night CBS has been renewed for a slightly up.

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Echoes of Senate Hearings

(ON WHITE RESOLUTION)

Washington, June 10.

Press table veterans of those drawn-out hearings last week on "Fires" of the late Col. Thad H. Brown thought they saw some familiar faces in the room. They were two of the real estate men who figured prominently in RCA's misadventure in the late '30s. . . Their interest in these proceedings is still a matter of speculation.

Recon won't show that Fred Weber, Mutual's general manager, did a good deal of testifying. Two of the days Fry was in the witness chair, Weber sat directly behind the Commission group on hand to furnish information to the Chairman's staff.

Often when more data was requested, it got into the official transcript through a single copy member of the committee. . . Camic Relief Spectators are grateful for South Carolina's Cotton Ed Smith. Besides supplying badly-needed comic relief at tense moments, he has the faculty of reducing a lot of long-winded oratory to its essentials.

Washington, June 10. Around 100 new jobs with the Federal Trade Commission are in prospect as result of the 24-hour radio watch on foreign broadcast stations.

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Jack Fulton's WLW Spot

Cincinnati, June 10.

Jack Fulton, tenor, has replaced the De Vore Sinters, harmonic solo, on WLW's midnight program, "The River. . . The De Vores joined the Crosby staff in 1935. They were stick around Cincy until the fall commencing to make their own records in Columbus and Cincinnati.

Lionel Stander Injured

Robert Sione Steps Into CBS Role On Actor's Non-Appearance

Robert Sione, co-author with Leonardo Beroevich of "The Life of a Showman," has been injured in the show on short notice. . . It wasn't until the day for rehearsal that he was able to get to the studio from his home in Croton.

Stander, who was knocked unconscious when his car ran over a child who ran across the street, was taken to the hospital in Briarcliff. . . He was taken home that night, but he was still in bed when he learned of the mishap and telephoned his wife. . . He was taken back on the week's "Lionel Stander" show.

remarked: "There's 120,000 votes right there." With perfect timing and exacting accuracy, Smith inquired quietly for who?

Network actors dusted off their names after Fry cited the 1911 St. Louis terminal case as precedent for the regulations. . . And found the Supreme Court held illegal any "unreasonable" restrictions handicapping a medium of interstate commerce trying to serve the public. . . Fry's interpretations, claiming the FCC Chairman overlooked the point the railroads are common carriers while broadcasting stations and networks specifically are not.

Every Liv! Web—A Meeting of Its Own The network contingents in general were kept away from each other with the Mutual gang at a table in the center of the room, most of the NBC staff grabbed places at the committee's left and the CBS execs were on the opposite side of the room. . . They all don't agree, though, and right next to Niles Trammell.

They Worry with a Tab Tony Tobby wants to drag some skeletons from the FCC closet. . . He has been asked to answer a long list of written questions but asked only one of them. . . When Riverside Park number 10 was inspected Wednesday (4) for the rest of the week, he announced he wants to testify about a number of other subjects (unspecified) which may take a couple of hours. Presumably he will be testifying at the committee's next meeting at the old RCA Research Center.

BIGGER FCC WATCH ON THE RHINE'S AIR

Washington, June 10. Around 100 new jobs with the Federal Trade Commission are in prospect as result of the 24-hour radio watch on foreign broadcast stations.

CLERGY GROUP ASKS FOR FCC PROBE

Release from the Department of National Religious Radio over the subject of religious broadcasting of eastern clergy members, headed by the Rev. Harry Emerson Fosdick, of the Riverside Church, New York, is requested by letter to President Roosevelt for a full and searching investigation. . . The report stated the letter, would it put into effect, "greatly curtail the opportunity for such national religious broadcasting."

Office of Govt. Reports Protected From Gagger Proposed by Sen. Taft

Washington, June 10. Continuation of radio activities of the Office of Government Reports is being considered by the Senate. . . The report stated the letter, would it put into effect, "greatly curtail the opportunity for such national religious broadcasting."

Radio Primer For Congressmen

Information has come to VARIETY that the interest of a large number of congressmen in the commercial ramifications of broadcasting has been stimulated by the current seething over the FCC's rules on network-affiliated station relations and that a goodly number of these legislators have inquired as to where they could obtain some basic facts on the subject. Being itself always devoted to the public, as well as trade interest and convenience, VARIETY herewith offers a radio primer for members of Congress.

Our public servants share with the rest of us today a certain confused state of mind because of the bewildering velocity of brickbats flying in all directions. Radio is, to a congressman, just one of the many upshots of the day. He is more and more interested in radio for the place it holds as a medium of public expression and less and less able to keep pace with conflicting statements about its alleged abuse, the contradictions and the counterclaims.

VARIETY will leave it to the congressman to fight the wrong way through the maze of facts and offers the following guide to some of the basic elements of what's what, and why, in the American system of commercial broadcasting:

Station Break-Downs

American radio is comprised of over 800 stations, of which around 750 are devoted to commercial operation. These are divided, as to power, as follows:

Power	Stations
50,000 watts	41
25,000 watts	1
10,000 watts	7
7,500 watts	1
5,000 watts	138
2,500 watts	8
1,000 watts	134
500 watts	31
250 watts	322
100 watts	75

These, in turn, are divided by network membership as follows:

NBC-Red	130 stations
NBC-Blue	103 stations
Columbia	118 stations
Mutual	176 stations

Multiple ownership of stations by networks and other interests is as follows:

CBS	7 stations
NBC	7 stations
Newspapers	298 stations
*Multiple Station Owners	87
*Single Station Owners	379

*According to the FCC's Monopoly Report, the stations owned also multiple ownership are: NBC-Red, 130 stations; NBC-Blue, 103 stations; Columbia, 118 stations; Mutual, 176 stations; CBS, 7 stations; Newspapers, 298 stations; Multiple Station Owners, 87; Single Station Owners, 379.

Network-Affiliate Relations

NBC, CBS and Mutual each have a different type of contract with the local stations that comprise their networks.

In the case of NBC and Columbia the local station receives as compensation for national advertising from 20% to 37% of the station's own card rates. (In rare instances, stations have gotten full card rate minus 20% to cover network sales and line costs.)

Actual's standard compensation to stations calls for the locals to get their full card rate minus 15% for sales service, with each station paying its own hookup line (A. T. & T.) charges.

NBC also allocates to itself the revenue on the first four hours sold on a station weekly as its compensation for sustaining services.

Contracts with local stations in the case of all three network companies stipulate exclusive affiliation, but, despite this, Mutual has in a number of

instances been able to secure time clearance for Mutual programs over the stations of the NBC-Blue Network.

NBC guarantees its affiliates a number of hours during the day and early evening wholly reserved for local purposes and free from network sales pre-emption. The Columbia contract affiliates are required to make available all their scheduled time from 10 a. m. to 11 p. m. for network sales. Mutual has, during the past year, obtained a pledge from its basic stations that certain hours of the day will be made available for network business.

A pertinent difference between NBC and Columbia and Mutual are their corporate, economic and administrative setups. The NBC-Red and the NBC-Blue are subsidiaries of the Radio Corp. of America, while Columbia is a privately-owned entity. Only in the case of Mutual do the affiliated stations own stock and participate in network management and administration.

Network Complexions

Although stations are licensed to operate locally and networks, as such, receive no license from the FCC, some 40% of the stations, by virtue of their network affiliation and pre-emption of substantial parts of their daily operating hours have a national, or network, program complexion.

The networks serve as the chief transmission belt not only of famous radio entertainers such as Jack Benny, Eve Allen, Kate Smith, Amos 'n' Andy, etc., but form the chief source of the best sustaining (non-commercial entertainment) and public events, educational and informative programs. Very few widely popular or expensively contrived programs reach the public by any other channel save network.

The sum effect of network enterprise on local station enterprise has been a diffuse one. Some stations, despite their affiliation, have continued to maintain a high standard of local initiative in providing programs of entertainment value and community interest, but a substantial percentage of local stations have been inclined to function merely as a fill-in service, content to let the networks supply the leadership, the brains and the programs.

Industry Income

In 1940 the entire broadcasting industry (networks, national spot and local) sold time to advertisers in the amount of \$154,823,787 gross, and \$109,629,527 net.

NBC Red and Blue	\$37,137,823*
Columbia	31,137,823*
Mutual	3,600,161*

Total (Not figures) \$71,875,807*

In 1940 the entire broadcasting industry showed a "broadcast service income" of \$33,296,708 (left after deducting expenses from net sales, but before deduction of taxes), while the *profits shared by the networks were:

NBC Red and Blue	\$3,918,772
CBS	5,006,634

*Mutual reported a loss of \$38,715.

Spot Broadcasting

Besides the national network (Red, Blue, CBS, MBS) with which they are affiliated, local stations also have income from regional networks (such as the Don Lee, Yankee, Texas State), and from national advertisers who place their business direct (i.e. "national spot") with the stations and local advertisers. For NBC and CBS affiliates the income from such "other" sources provide a much greater margin of volume. Outside of a 15% commission to the advertising agency and another 15% to the station's national sales representative, the income on national spot business is retained locally.

The Radio Law

All radio stations are licensed to operate by the Federal Communications Commission which was organized in 1934, superseding the older Federal Radio Commission authorized by the Radio Act of 1927. Networks, remember, are not licensed by the FCC. Networks exist through contractual relations over which the FCC has heretofore exercised only indirect control.

The Present Quarrel

The nub of the present dispute between NBC, CBS and the FCC is the authority of the latter to exercise such control directly, that is, interfere if the relations between networks and affiliates. NBC and Columbia maintain that no such authority had been delegated to the FCC under any radio law of amendment, while the FCC, at least its majority points to Section 303 (i) of the Communications Act of 1934 as support for its power in this respect. The FCC maintains that the commission may make such regulations applicable to radio stations engaged in chain broadcasting.*

The FCC requires as a condition of licensing that the licensee agree to operate the station in the public interest, convenience and necessity. At least once every year each station under a license ordered to do so by the commission, the licensee must re-apply for an extension of its license and may, at such times, be compelled to prove that it serves the public interest.

As a result of the FCC's rules growing out of its investigation of network monopoly the stations whose licenses are about to expire must presumably serve upon their networks notice to the effect that (a) they can no longer assign the sale of their local time exclusively to any one network or (b) remain allied to that one network company which owns more than one network. The latter provision is directed exclusively at the NBC-Blue and this provision, if enforced, leaves NBC no alternative but to dispose of this network. The FCC in its monopoly report contends that NBC has maintained the Blue merely as a means of Red network and to stave off competition from other networks or the development of other networks. Mutual is not only a strong proponent of this viewpoint but favors the eradication of exclusive contracts between network and affiliated station. The two older network companies argue that such a course would destroy the very motive and foundation of network operation.

Public Interest

One of the moot questions that has been most argued before the commission and within the broadcasting industry and by "social critics is that of public interest. Understanding of the question in recent years has been made sharp strides from the academic to the economic realm as the FCC, acting on the pleas and complaints of broadcasters themselves, has clarified the meaning of "public interest, convenience and necessity" specifically as regards the duties of stations in granting free time or in selling time to politicians.

The moot question of public interest has also received further crystallization in recent years, notably in 1939 when the National Association of Broadcasters, the trade group of the industry, adopted a code of ethics in which it sought to standardize its own membership in recognition, interpretation and application of public interest. This code is particularly designed to place all controversial issues on a firm basis of equitable opportunity between persons or groups with counter points of view, to assure an equitable distribution of free time and its withhold from sales time and facilities to exponents of controversial subjects. In general it attempts to insure genuine free speech and prevent abuse of free speech by demagogues and persons or organizations of ill will.

'PERFECT CRIME' TRIAL SET BACK TO SEPT.

A \$250,000 plagiarism suit by Monroe B. Levey, known as Roy Post, against Philip Morris & Co., Ltd., the Blue Co. Inc., NBC, Jack Johnson and Milton H. Blow has been set back from June to September trial in N. Y. supreme court by consent. An examination before trial of the defendants and the serving of a bill of particulars by the plaintiff is still uncompleted. Post claims that in July, 1937, he

conceived an idea for a radio serial entitled "The Perfect Crime" and submitted it to Blow. The idea was plagiarized over WEAJ starting Nov. 22, 1938, it is claimed. Philip Morris sponsored the program, Milton Blow is president of Blue Co., and Jack Johnson is a program director of Blue.

San Antonio.—Ben Kaplan has been added to the News staff of station WOAI. Charles Conklin has taken over night duties. Pat Doyert of WOAI has joined announcing staff of KABC where Don Carol has been transferred to the engineering department.

Royal Gelatin Gets Plug From Bergen Fill-In

Standard Brands will utilize the summer time of Chase & Sanborn on August 1 for a substitute program to advertise another of its products, Royal Gelatin. *Program, "What's My Name," will be handled by Sherman K. Ellis agency, taking over during July and August after Edgar Bergen's troupe calls a season (2)

WBNS Ohio State Annual

Columbus, June 10. Fourth annual "Ohio State University Radio Day" at WBNS, held last week as the school year neared its close, had 12 students from Don Riley's radio classes taking over that station. Originated by "Ted Reeves," publicity director when student at the university, the event was supervised by Sherman K. Ellis agency director and twin Johnson, director of developmental programs. "Day" is one in which the students run a station from 9:30 to 1:00 a. m., relieving the regular staff at all posts—from announcers to script writers to salesman.

CHAUTAQUA SIX SET FOR NBC RED

Series of six concerts from Chautauque, N. Y., will be aired 4-5 p. m., Sundays, starting July 20, over NBC. Weekly soloists will guest in the following order: Mischa Bishchoff, George Britton, Georges Miquelet, Suzanne Fisher, Georgia Barreare and Ewan Evans. Niagara Falls.—Jack Brown, WFLD announcer, into Uncle Sam's khaki last week.

Comedy By Remote Control

A Bit of Whimsy

By VICK KNIGHT

N2209 90 DL NEWYORK JAN 18 9274
 JOE BUSH GARDEN OF ALLAH VILLA #7
 HOLLYWOOD CALIF.
 PLEASE DESTROY ALL TICKETS FOR TUESDAY BROADCAST STOP DISTRICT SALES MANAGER PACIFIC COAST HAS TURNED ENTIRE STUDIO OVER TO STUDENT BODY OF LARGE SCHOOL IN VENTURA STOP THANKS AND REGARDS
 WEDLOCK ROBERTS
 ADVERTISING AGENCY 1207P

N431 24 LOS ANGELES CALIF JAN 18 323P
 WEDLOCK ROBERTS
 445 MADISON AVE NEWYORK
 SORRY BUT BUSH DEFINITELY VETOES JUVENILE STUDIO AUDIENCE STOP BUSH STOPPED ENTIRE TYPE OF COMEDY TOO SMART TO CLICK WITH SCHOOL KIDS STOP IF LAUGH RESPONSE IS LIGHT LISTENERS APT TO THINK BUSH IS FLOP STOP JOE INSISTS ON ADULT AUDIENCE AS USUAL
 NAGEL BAGEL
 MGR JOE BUSH ENTERPRISES 427P

L4302 72 NL NEWYORK JAN 18 931P
 NAGEL BAGEL
 THIS STUP HOLLYWOOD CALIF
 APPRECIATE YOUR VIEWPOINT BUT COAST SALES MANAGER EATS THIS SCHOOL IS BIG CONSUMER OF KRISPER CRUNCHLALES THESE WY ALLENATE CUSTOMERS, BESIDES TICKETS ARE ALREADY DISTRIBUTED, WHAT DOES BUSH HIMSELF HAVE TO SAY.
 WEDLOCK ROBERTS 621A

R2759 45 HOLLYWOOD CALIF JAN 19 1121A
 WEDLOCK ROBERTS
 445 MADISON NEWYORK
 WESTERN UNION WON ACCEPT WHAT BUSH HIMSELF HAS TO SAY SHALL I TRY POSTAL. BUSH FURIOUS, INSISTS NO KIDS IN STUDIO
 NAGEL 402P

H2309 69 NEWYORK JAN 19 534P
 NAGEL BAGEL
 THIS STUP HOLLYWOOD CALIF
 RADIO DEPARTMENT HELD MEETING THIS MORNING RE KID AUDIENCE TUESDAY. SORRY BUT WE THINK BUSH ONE HUNDRED PERCENT WRONG.
 WEDLOCK ROBERTS 620P

Q8587 34 HOLLYWOOD CALIF JAN 20 1037A
 WEDLOCK ROBERTS
 445 MADISON NEWYORK
 BUSH IS NEVER ONE HUNDRED PERCENT WRONG. HIS AGENT TAKES TEN PER CENT OF EVERYTHING.
 NAGEL 206P

P0807 33 NEWYORK JAN 21 1127A
 JOE BUSH
 THE LOVE PALM PALMSCRIPTS FOR GAWDSAKE JOE IS REASONABLE STOP WESTERN REPLY FOR KRISPER CRUNCHLALES ALREADY GAVE OUT TICKETS STOP WILL LOSE CUSTOMER IF HE DISAPPOINTS SCHOOL CHILDREN ABOUT REVISING SCRIPT SO AS TO APPEAL TO KIDS IN STUDIO STOP MAYBE SCRIPT SHOULD BE BUILT AROUND MOTHER GOOSE NURSERY RHYMES.
 WEDLOCK ROBERTS
 ADVERTISING AGENCY 1207P

L6004 73 PALMSCRIPTS CALIF VIA INDIO JAN 21 346P
 WEDLOCK ROBERTS
 445 MADISON NEWYORK
 YOU HAVE ALREADY GIVEN ME FING. FORGET MOTHER GOOSE JOE 1206P

J6742 90 NEWYORK JAN 22 1068A
 JOE BUSH
 BEVRY HILLS CALIF
 SAVE YOUR JOES FOR THE SCRIPT. WE INSIST THAT A FEW GAGS ABOUT CHILDREN AND THEIR ACTIVITIES WILL WOW YOUNGSTERS. OUR PRESIDENT SUGGESTS A ROUTINE IN WHICH YOU PLAY THE PART OF A BOYSOUT.
 WEDLOCK ROBERTS 1012A

K2326 64 BEVERLYHILLS CALIF JAN 23 1132A
 WEDLOCK ROBERTS
 445 MADISON AVE NEWYORK
 IF ITS A BOY SCOUT YOU WANT HIRE EDDIE CANTOR. SO HELP ME IF YOU DONT FORGET THE KIDDE BLITZKREIG ILL PLAY MY FIDDLE ON THE PROGRAM AND PUT US AL OUT OF WORK.
 JOE BUSH 411P

J6599 NL 89 NEWYORK JAN 24 740P
 SAM GOLDWYN
 HOLLYWOOD CALIF
 DEAR SAM. HATE TO IMPOSE ON YOUR FRIENDSHIP BUT HAVE TERRIFIC PROBLEM. YOUR HELP IMPERATIVE. WESTERN SALES-MANAGER OUR BIGGEST ACCOUNT KRISPER CRUNCHLALES BREAKFAST FLOP GAVE ALL TICKETS FOR JOE BUSH BROADCAST TOMORROW TO STUDENT BODY OF SCHOOL IN VENTURA. 1000 REFUSES TO DO BREAKFAST TOMORROW AS PLANNED FLOP WITH JUVENILE STUDIO AUDIENCE. WOULD YOU BE WILLING TO TALK TO JOE IN OUR BEHALF. YOU COULD GIVE US OUR ARGUMENT GREAT STRENGTH.
 WEDLOCK ROBERTS 823A

G6450 34 BEVERLYHILLS CALIF JAN 25 205P
 WEDLOCK ROBERTS
 445 MADISON AVE NEWYORK
 SORRY, MY NAME IS SAM NOT SAMSON.
 SAM GOLDWYN 112P

E876 40 NEWYORK JAN 25 205P
 JOE BUSH
 CARE NAGEL BAGEL
 MANGER HOLLYWOOD CALIF
 SINCE OPTION PICKUP IS DUE NEXT WEEK THINK IT EXTREMELY UNWISSE TO INCUR CLIENTS ENMITY STOP BELIEVE IT TO YOUR BEST INTERESTS TO DO BREAKFAST TOMORROW AS PLANNED WITH AUDIENCE FROM VENTURA SCHOOL.
 MALCOLM STERN
 PRES USANION ADV. AGENCY 1164A

T3498 17 HOLLYWOOD CALIF JAN 26 212P
 MALCOLM STERN
 445 MADISON AVE NEWYORK
 SCRIPT REVISED, WHOLE THING RHYMES WITH SPHINKX

NEVERTHELESS WILL SEE IT THROUGH. HAVE PULLED EVERY HAIR OUT OF MY HEAD AND AM NOW WORKING ON AIRMPTS.
 JOE BUSH 612P

G5492 NL 95 SANFRANCISCO CALIF JAN 28 651P
 JOE BUSH
 CBS STUDIOS COLUMBIA SQUARE HOLLYWOOD CALIF
 THINKS A LOT OF LOU. KNEW YOU WOULD COME THROUGH FOR KRISPER CRUNCHLALES Brought in BY FLEET OF BUSES. ARRIVE ABOUT HALF HOUR BEFORE BROADCAST.
 FRED HIGGINS
 SALES MGR PAC COAST
 KRISPER CRUNCHLALES CORP 844A

D6529 98 HOLLYWOOD CALIF JAN 27 242P
 MAL STERN
 445 MADISON AVE NEWYORK
 WILL TELETYPE REVISED SCRIPT IMMEDIATELY FOLLOWING DRESS REHEARSAL. SHOW NOW LOUSY WITH JOKES FOR KIDS, OR SHOULD I HAVE STOPPED AFTER LOUSY.
 JOE BUSH 635P

L486 66 NEWYORK JAN 27 910P
 JOE BUSH
 KNX HOLLYWOOD CALIF
 WAS THIS PROGRAM YOU UNVEILED TONIGHT OR WAS IT HITLERS SECRET WEAPON. MY WIFE CAUGHT ME LISTENING AND SAID COME DEAR DONT OVEPSLEE. IF I KNOW YOUR SPONSOR YOU HAVE A BREAKFAST FEUD ON YOUR HANDS.
 ARTHUR LOEW
 PRES KRISPER CRUNCHLALES CORP 847P
 BOB HOPP 635P

P662 NL BATTLELAKE MICH JAN 27 916P
 MALCOLM STERN
 UNIVERSAL ADV AGENCY
 445 MADISON AVE NEWYORK
 TONIGHTS BROADCAST ABSOLUTE DISGRACE STOP WE HIRED JOE BUSH FOR COMEDY NOT TRAGEDY STOP PROGRAM TOO POOR TO HAVE TO SAY I HATE YOU SWANKER STOP IN THESE TROUBLED TIMES THERE SHOULD BE MORE LAUGHTER STOP EXTREMELY DOUBTFUL IF OUR BOARD WILL PICK UP BUSHES OPTION IN FACE OF SUCH DISMAL FAILURE.
 ARTHUR LOEW
 PRES KRISPER CRUNCHLALES CORP 847P

N2387 DL 43 VENTURA CALIF
 JOE BUSH
 THIS STUDIOS HOLLYWOOD CALIF DONT PHONE THANK YOU SO MUCH FOR PERMITTING OUR STUDENTS TO VISIT YOUR WONDERFUL BROADCAST. THEY ENJOYED IT IMMENSELY AND ALL I THINK JOE BUSH IS JUST THE FINEST PERSON IN THE WORLD.
 THERESA JONES
 DIRECTOR VENTURA ACADEMY 902A

G6250 45 HOLLYWOOD CALIF JAN 28 1122A
 THERESA JONES
 VENTURA ACADEMY VENTURA CALIF
 MY DEAR MADAME. IN MY LENGTHY CAREER AS A COMEDIAN I HAVE FLOPPED IN FLORIDA DID IN DENVER BE HECKLED IN JACKSONACK AND I HAVE SPUNK IN STOCKHOLM. I HAVE LAID EGGS SO BIG THAT HENS HAVE ACCUSED ME OF VIOLATING THE HATCH ACT. BUT NEVER UNTIL LAST NIGHT DID I TRY TO PUT ON MY ACT IN FRONT OF A REFRIGERATOR. I WOULD LAUGH AT MY OWN WAKE. ANY RESEMBLANCE BETWEEN THAT AUDIENCE AND ANY LIVING CHARACTERS WAS PURELY ACCIDENTAL LOVE AND HISSES.
 JOE BUSH 1205A

J6754 33 VENTURA CALIF JAN 28 312P
 MR JOSEPH BUSH
 BEVERLYHILLS CALIF
 DEAR MR BUSH, MISS JONES OF VENTURA ACADEMY JUST SHOWED ME YOUR TELEGRAM. CANT TELL YOU HOW SORRY, I AM. EVIDENTLY I FORGOT TO TELL YOU THAT VENTURA ACADEMY IS AN INSTITUTION FOR DEAF AND DUMB CHILDREN.
 FRED HIGGINS 406P

Inside Stuff—Radio

PM, New York daily, last week ascertained that Sterling Products is tied up with Nazi-controlled operations. Sterling is one of the largest advertisers in America. Makes Bayer Aspirin, Dr. Lyon's Tooth Powder, Phillip's Milk of Magnesia, Cantarin, Ironated Yeast, Enzogene and many other drug products.

Briefly, PM, in the story by Lowell L. Leake, stated: "78,000 to 1,000,000 shares of Sterling are held by General Achille L. Pim Co. The latter was organized by J. C. Farben, the German dye trust. It, through holding companies and interlocking directors, is tied up with Sterling and also that a house agency is operated by Sterling and born Transcontinental network in which Buett Roosevelt was a figure."

The Stork Club debuts set moves to St. Patrick's Cathedral, N. Y., this noon (Wednesday) and the reception at the Hotel Pierre in the afternoon for the wedding of Rosemary Cox, New York deb, and Leslie Turner, WQAM (Miami) newscaster and Variety reporter in that territory. The bride is to wed her first husband, the young millionaire, Mrs. Rosemary Cox who is stopping at the Hotel Woford and spurned a party until Ames assured Miss Cox of Harris' personal charm. Ames (who she later called Victor Mature) of the "Female of the Year" in 1938 and Stephen (now reported to be married) and another socialite, Martha Dark) and through her knew Miss Cox and Jean Harrington, another of those who met after marriage, a time did socialize publicly for Monte Proser's Copacabana, N. Y., alter.

Richard Porter, N. Y. v.p. for Stuck-Gubb, declared yesterday (Tuesday) that his office had not made an offer for the CBS-produced show day) with Jack White, Pat Harrington and Frankie Hynes, but that he had agreed to an agreement to produce a show whether the show had to go agreement or whether it could be spotted on any of their network. Columbia's answer was it had to go with a CBS client.

Ika Chase's new nighttime program for Camel, 'Fenhouse Party,' was out of the air Friday night (6) on its debut due to faulty stomach work. The program did not return to the radio until in addition, it is understood another Rubinoff solo and an orchestra number were presented.

Spencer Bentley is appearing in 'Good Neighbors' shows Thursday nights on NBC-red. He's been in Mexico and Cuba probably attending that American announcer because he was at one time a pursuer on the old Ward Line.

Felix Greene, former American representative of the British Broadcasting Corp., is no longer in the Associated Press of New York. Greene is in charge of a Quaker camp near Newport, Pa.

Boris Said Dies

Continued from page 2

between Beth and Walter C. Teagle, Standard Oil Co. of New Jersey, but the latter insists he never met Reith. It was through Edger Reith that Said came into show business. In 1932 Said was in the Detention Pen, held for suspicion of passing through Standard Oil connections, Dowling was contacted because of his friendship with Frank D. Roosevelt, then campaigning for the presidency. Said's release was obtained and the usual contract liberally signed for the campaign fund.

Said and Dowling secured the release of the Standard Oil of the incident Astor and later the 44th Street owned by the Astor estate. Said was built by the late A.S. Erlanger at a cost of \$1,400,000, most of which was raised by a bond issue, but which was lost to the estate of Erlanger, at a cost of \$1,400,000, most of which was raised by a bond issue, but which was lost to the estate of Erlanger, at a cost of \$1,400,000, most of which was raised by a bond issue, but which was lost to the estate of Erlanger.

Dowling and Said were supposed to be 50-50 on the St. James lease, but the latter insisted he never received any part of the profits during the six years they operated the show. Dowling, who had the operator, but made the mistake of agreeing to pay the Astors 10% of the gross and had to explain why he was so exacting on terms with shows which played the theatre. Said and Dowling put on the line in all details and few managers booked the house a second time.

The production budget was \$25,000, which cost Rowland Stebbins \$100,000, and 'May Wine,' a Laurence Olivier production, which cost \$1,000,000. Dowling presented and appeared in. Said insisted that the theatre get 1/2 of the net, but such a cut in the taking made it impossible for the show to operate to a profit. Dowling exceeded the production budget and because of that he appeared in the revue without ever receiving a cent.

Political Angles Reason that Dowling assigned to such nepotism was that the political friends of Frank coin in "Thumbs," including Frank C. Walker, W. A. Rorer, Ben S. Bostwick and Ben Smith, spectacular Wall Street bear early in the depression. Revue lost \$100,000 in 1935 but retained the friendship of Walker and Smith, they never again invested in a Dowling show. Dowling and the friends between Said, Dowling, Walker, Smith and others when "Thumbs" closed its theatrical venture. Dowling of the neighborhood. Nearby shows mentioned in their efforts to listen in on the language of the show. "Thumbs" was described as having two of everything as far as the cast was concerned, five managers, five partners, five directors, five managers and five press agents—but no business.

Transaction that split Said and Dowling followed the ruin of a surprise in the St. James. It being King Richard II with Maurice Evans. Latter had \$25,000 backing from the St. James. Said declared he was through with show his previously). Said agreed to perform for one month on a contract of \$5,000. That, however, was not the only one he ever received and Said also putting the show on a contract of \$5,000. Said also putting the show on a contract of \$5,000. Said also putting the show on a contract of \$5,000.

To bolster his theory that he was not a showman, the same does not appear among the officers of the N.Y. Company, the corporation of the St. James and 44th Street management. Two secretaries, Helen Zymeson and Jennie Gordon, have been the technical operators of the show. New Zealander, former theatre leader who was her general manager, died several months ago.

Cantor Options Shore

Eddie Cantor has picked up the option he holds on the services of singer Dinah Shore for next season. She will return to the NBC-red on Wednesday 9 p.m. slot with Cantor's Ipano-Sal Hepatica program Oct. 1.

'Any Bonds Today' 100% Free

ASCAP has broadened the press that, regardless of its differences with the networks, Irving Berlin's new song, 'Any Bonds Today,' which he wrote at the invitation of the U. S. Treasury Dept.'s Defense Bonds drive, can be freely and unconditionally performed everywhere. For technical copyright reasons, Ferdinand Kuhn, Jr., of the Treasury Dept. requested ASCAP to clear up any and other song details.

The same will apply for 'Arms for the Love of America,' another song authored by Berlin at the War Dept.'s Ordnance Division's request, also for propaganda purposes.

Poling on Transcription Answers Wheeler Rally As KDKA Balances Sides

Pittsburgh, June 10. Hewing to line in its policy of presenting both sides of every controversy, KDKA last Thursday (5) immediately followed its broadcast of Senator Burton K. Wheeler's Pittsburgh speech with transcription of half hour talk made earlier in evening here by Dr. Daniel Poling of Philadelphia. Latter was sponsored by 'Union Now' group while Wheeler appeared locally under auspices of America First Committee. Wheeler spoke in Soldiers and Sailors Memorial Hall despite fact that thousands had protested to newspapers and public officials against the use of that auditorium for his purposes. Meeting with Dr. Poling was witnessed by KDKA because regular commercial show had been pencilled in for hour at which he spoke. Wheeler's talk was aired from 9 to 10 p. m., with Poling address going on from 10 to 10:30.

Off In A Cloud of Recriminations

WWDC, Washington, Sues and Is Sued as Dyke Cullum, Ed Spence Fail to Get Along

Washington, June 10. Infancy of WWDC, newest local outlet and second non-affiliated station to debut here in six months, is marked by bitter fighting between original partners which now has taken the form of an attack on the transmitter's operating permit. Just as the switch was about to be thrown, Dyke Cullum, one of the incorporators, tried to put the Capital Broadcasting Co into receivership, charging mismanagement of the firm's affairs and asking for an accounting. Now the Company has asked \$5,000 damages in a counter-suit charging Cullum tried to wreck the organization, delayed construction, and is responsible for increased costs of building the transmitter. In addition, Edwin M. Spence, secretary-treasurer and former

secretary of National Association of Broadcasters, wants \$10,000 bail because Cullum last January allegedly shook him violently while he was lurching and caused him to jab his face with a fork. The company also asked the court to punish Cullum with a \$10,000 fine. Third round was launched by Cullum with an application to the Federal Communications Commission for WWDC's facilities (250 watts, unlimited, on 1450 kc).

WWDC now operates full time on 1,000 watts power on 1370 kilocycles.

Detroit, Arsenal Centre, Sees Itself Bombable And Hams Prepare

Detroit, June 10. Figuring Detroit, one of Democracy's arsenals, is sure to be bombed in wartime, the hams, radio amateurs, getting an intensive training here. Naturally lacking the actual conditions, the Michigan Amateur Radio Emergency Council had the Red Cross combined on Saturday and Sunday (7-8) in the emergency activity designed to be used in bombings.

Six mobile short-wave radio units, manned by 50 amateur operators, were posted near school buildings, usual shelter places in stricken areas. Then working on the premises other communication systems were knocked out, the hams notified key station attendants at the Red Cross stations of conditions in their areas and of the kind and amount of supplies needed. The Red Cross got in its training, too, by dispatching the supplies as called for.

Increase WJRN Camp Visits. Increase Michigan listeners a full hour of defense programs, station WJR has moved back its 'Selectees All' from 1 to 1:30 p. m. on Sundays. Moving the half-hour visits to camps where there are Michigan men permits the station to air the CBS national program 'What Can I Do For Defense' during the former period and then follow with the local program.

The station is going in for extensive coverage of Army camps to follow the local draftees. Broadcasts have been made from Camp Custer, Battle Creek, Mich. and Fort Sheridan, Ill., with future programs originating at Fort Leonard Wood, Mo., and Camp Livingston, La., and other remote points.

Larry Payne, station announcer, and Jerry Pettit, defense editor of the Detroit Times, are collaborating on the interviews.

F.O.B. Detroit Moving. CBS is moving 'F.O.B. Detroit,' the WJR sustaining show which has been spotted on Saturday afternoon, to 7:30 to 8 p. m. Fridays, starting June 13. The show is staged from the Scottish Rite theatre in Detroit with the studio orchestra, under Samuel Benavise, upped to 55 voices, the Don Large chorus of 16 voices and two guest soloists.

Some 24 CBS stations have been carrying the Saturday show, one of the biggest sustainers ever offered by a Columbia affiliate.

Good Public Response. Miami, June 10. Station WIOD here believes it is the first station to establish a 'national defense activities department.' Since then through its parent newspaper it has been making a play for general recognition of its leadership in this phase. Carnes quarter pages devoted to various station efforts to ballyhoo and otherwise help along national defense.

Frank Jaffe, WIOD defense director, so-called, finds the public thrives well and speaks well of station for doing this.

Prize Is Defense Stamp. Fort Worth, June 10. Instead of awarding cash in the morning quiz show titled Morning News announcer Hal Thompson is awarding United States Defense Savings Stamps. Questions are based on items appearing in the morning paper.

Various number of stamps are awarded to those answering the questions.

Clapp's Baby Food Off

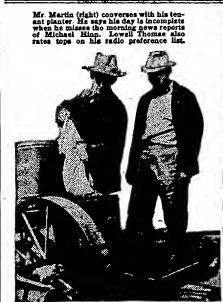
Clapp's Baby Food folds its 'Mother of Mine' series on the NBC-Blue July 4. Young & Rubicam is the agency.

Clapp is a subsidiary of the American Home-Sterling Products combine.

Groves Bromo Considers Morning Air Show

Groves Bromo Quinine may this fall use a 15-minute morning program on one of the networks in addition to the 'Sherlock Holmes' series, which has already been spotted on the NBC-Red. J. Walter Thompson, which handles part of the account, has begun placing spot contracts with fall starting date.

Russel Seeks agency of Chicago, has the network end of the business.



Mr. Martin (right) covers with his first broadcast, his wife his only broadcast, and Michael Martin. Edward Thomas also takes tape on his radio performance line.



Son Jim Martin is twelve years old, attends Junior High School and is engaged in Fourth Club work. One of his heroes is Jack Armstrong.



Melba Martin, pretty, she year old daughter, is an active, too, like the gifted artist, Charles McCarty, and also enjoys the Brits as Baby Soldiers.

'MEET DONALD MARTIN AND FAMILY'

The Donald Martins are representative of many thousands of mid-west farm families who daily enjoy the clear channel service of WLW. Radio plays a big part in the lives of the Martins—with WLW in the leading role.

Mr. Martin, a young, progressive farmer, takes an active interest in the Decatur, County Farm Bureau, serves on the Board of Directors of the Indianapolis Producers. He highly compliments the WLW agricultural policies, market reports, weather and news. With his assistants, Mr. Martin cultivates 45

acres of corn and wheat scientifically rotated with other crops. Mrs. Martin, a lover of flowers and shrubbery, appreciates the horticulture information aired by specialists of the WLW staff. News and entertainment features are, of course, a part of the entire family's regular listening habits.



The home of the Donald Martin, R. F. D. No. 8, Greensburg, Indiana—only mile northwest of Goodland.



REPRESENTATIVES: New York — Transamerica Broadcasting & Television Corp. Chicago — WLW, 230 N. Michigan Avenue. San Francisco — International Radio Sales.

WLW

the Nation's most Merchandise-able

STATION

'CLAUDIA' With Patricia Ryan, Richard Koltman 8 p.m.
GRAPE NUTS Friday, 8 p.m.

WBAB-CBS, New York (Young & Rubicam)

Everybody can do a good job about having 'Claudia' belatedly started on its own... It is an inevitable transfer of medium, it is not to be believed...

Episode one, inserted into a late season Kate Smith... What makes Claudia live and glow instead of just being, as she easily could be, a caricature...

WHEAT'S NEW AT THE ZOO? With John Reed King, William Bridges, Dr. Leonard Goss 30 Min. Sustaining Sunday, 1:30 a.m.

As a summer replacement for Miss Brown and the Capitol Theatre Family, CBS is offering this half-hour novelty sustainer from the Bronx Zoo, N. Y. There are two immediately notable qualifications to the show—it's mostly for kids and it's about twice too long. Otherwise, it's a fairly interesting and probably a useful program.

As heard Sunday (8) morning, the stanzas opened with John Reed King talking against the animal cages and explaining the how-come of the show. Next he introduced William Bridges, billed as 'curator of publications' (or press agent), who did some of the talking. Using a portable mike, the pair visited and described the animals in the zoo, with its small and large wards, quarantine ward, operating rooms, laboratory animals, most absorbing portion of the show were the spells about and by Dr. Leonard Goss, veterinarian. But apparently because the latter had been called on an 'emergency case' when a lion cut his paw, that bit was cut to a minimum.

As a result, the same amount of lively material might have been crammed into 15 minutes—at least talking a good deal of it in the half-hour period. Of, if the full week's material is to be assumed that such men as Dr. Goss should be able to work in plenty of anecdotes about their animal charges. Hobe.

'REG'AL FELLERS' With Dickie Van Patten, Ray Ivey, Jr., Boie Monahan, Eddie Paul, Lips, Eric Roberts 30 Min. Sustaining Sunday, 1:30 a.m.

WBAB-CBS, New York (Young & Rubicam)

Many things in radio transcend the understanding of mere professional technicians. One of them is the attempt a critique of a show of this kind. It is one thing to attempt a critique of a new paper comic strip. This one was and has a following as a newspaper comic strip. It is another thing to have the results have the thinness, the urgency-promoting tedium of a gramophone record. There were some authentic giggles along the way. But it still impossible to think the program is a proper or logical substitute for the Jack Benny radio spot, the best situated and best-built up half-hour period in radio.

The thoughts, the games, the habits and the devices of kids as enacted by a cast of kids will not go down as well as they should. It had the family dishes being used for an experiment by his older cousin, Jimmy, which, supposedly to be foreseen, a magnificent crash of beating china. All this took place, the dish-breaking climax occurring at 11 p.m. That left the show to be filled out. They were leaden minutes, talky, silly, and unentertaining.

The anguish and perspiration of the show, the desire of kids as expected by a cast of kids will not go down as well as they should. It had the family dishes being used for an experiment by his older cousin, Jimmy, which, supposedly to be foreseen, a magnificent crash of beating china. All this took place, the dish-breaking climax occurring at 11 p.m. That left the show to be filled out. They were leaden minutes, talky, silly, and unentertaining.

'MATINEE IN RHYTHM' With Bob Armstrong Oreb, Vera Kelly, Tiny Schwartz, Three Treys 30 Min. Sustaining Sunday, 12:45 p.m.

WBAB-CBS, Buffalo.

In little over a year, Armstrong young trombonist-pianist turned leader, has welded a fine band at WBEN into a unit that stands up. Leader's adeptness at most instruments, has welded a fine band at WBEN into a unit that stands up. Leader's adeptness at most instruments, has welded a fine band at WBEN into a unit that stands up.

WBAB-CBS, New York (Young & Rubicam)
'CLAUDIA' With Patricia Ryan, Richard Koltman 8 p.m.
GRAPE NUTS Friday, 8 p.m.
WBAB-CBS, New York (Young & Rubicam)
'CLAUDIA' With Patricia Ryan, Richard Koltman 8 p.m.
GRAPE NUTS Friday, 8 p.m.
WBAB-CBS, New York (Young & Rubicam)

ILKA CHASE'S PEN HOUSE PARTY With Yvette, Paul Baron Orchestra, Bert Parks, Elizabeth Huston, Judith Anderson 30 Min. Sustaining Sunday, 1:30 a.m.

R. J. REYNOLDS (CAMELS) WBAB-CBS, New York (Etryp)

Ilka Chase has been presiding over a radio session called 'Luncheon at the Pen House' since it was converted into a Friday night show in a mythical Manhattan penthouse. Nothing more or less than Ilka Chase dishes a brand of party talk, with a dash of wit, by celebrities, all of whom are her friends, and has an orchestra to back her up.

As to the guest stars, the quality according to what is brought by, or by the entertainment. But are those kind of people listening to a radio show of this kind? The guests with Ilka Chase's audiences, Paul Baron's 'comedies' and 'arrangements' and Yvette's vivacious and 'Parks' waxes Camels' commercials.

As he mildly diverting early in the proceedings when Elizabeth Huston, identified as a debutante (i.e. a girl who has never been married), reads few samples of the improbable slangy copy by her husband. It was, in doubt, about as authentic. It was the signs of the way one Vaxsiry might react to another, the interpretation being more picturesque than the facts.

'UNDER YOUR TIN HAT' Radio Magazine 25 Min. Sustaining Sunday, 7:15 p.m. WBC, London

Idea back of this session is entertainment of London's defense workers by members of those particular units. The program covers first the wards, ambulance parties, rescue squads—all bit beaters. Gang in the studio are the amateur soldiers with the occasional part-time pro, who get a good deal of the show.

'DANGER IS MY BUSINESS' Interviews, Drama 15 Min. Sustaining Sunday, 1:30 a.m.

WBAB-CBS, New York (Weiss & Adler)

This session is a radio play with a cost in three (17 Minutes) interviews which a newcomer can appreciate. The formula is simple—implicity being a showman's theme. The drama is imbued with curiosity angles—these punnily packed into quickie interviews with an occasional fade-in for a bit of drama to illustrate the incident told by a guest speaker.

Inaugural program had Commander Edward Elberg, of submarine rescue fame. He told of the hazards of walking about in the script authors. Herbert Little said there was just enough horror in the script of authors. Herbert Little said there was just enough horror in the script of authors.

'DOROTHY GORDON' News for Children 15 Min. Local Sustaining Daily, 5:30 p.m.

WBAB-CBS, New York

Apparently bowing to the trend of the times, Dorothy Gordon has skipped from bedtime story-telling to news. Her daily bit is billed as 'Newsday Broadcast' and subtitled, 'News for Boys and Girls.' What she offers is more in the line of counter-propaganda, and she does it with skill, good taste and a probable understanding of adolescent reactions.

On her initial program (5) Miss Gordon told about the 'slave labor' that the Nazis were using in Holland to build a reported fleet of 5,000 merchant ships, she cleverly ridiculed the 'apple' made by Mussolini's official newspaper to American youth to stay out of the war vis a vis to Deanna Durbin and she read a letter from a Berlin mother relating how her woman's husband became a 'Jill Imitate' because he failed to say 'Hell Hitler' on entering his home. Miss Gordon spoke her piece without resort to emotional or dramatic emphasis. Ode.

WBAB-CBS, New York (Weiss & Adler)
This session is a radio play with a cost in three (17 Minutes) interviews which a newcomer can appreciate. The formula is simple—implicity being a showman's theme. The drama is imbued with curiosity angles—these punnily packed into quickie interviews with an occasional fade-in for a bit of drama to illustrate the incident told by a guest speaker.

WINIFRED ASHFORD With Helen Hiett 15 Min. Sustaining Sunday, 10 a.m.

WBAB-CBS, New York (Weiss & Adler)

Winifred Ashford with another Englishwoman, Pat Macleod, is in the United States on a three month tour to contact women's organizations and those on this side concerned with the civil defense. The operator of a fashionable west end modish establishment in London (two locations) of which were bombed out. Miss Ashford speaks with the obvious authority of a person of experience in worldly affairs.

Many visitors here are interested in personal publicity than patriotism she seemed to be indulging in an aggressive activity of a person amounting to downright tantalization of the American listener. Tell us more, Wini.

Whispering Jack Smith With John Simpson 15 Min. Local Sustaining T-F-S, 7:45 a.m.

Whispering Jack Smith from the pioneer Kentucky era is back with a three-a-week, early-morning series on WBAB, New York, locally. He strums the piano, chatters, sings and, between-records, swags nonsense with announcer John Simpson. It's pretty typical early-riser program stuff.

Of course, Smith has hardly the youthful buoyancy he had 15 or 20 years ago, but he still has a pleasantly informal manner and a certain indefensibility. Simpson provides a properly colorless foil. Hobe.

FL. WAYNE—Don Tolliver, formerly of WTMV, East St. Louis, Ill., has been added to the announcing staff of WOWO-WGL.

50% with the Best of Michigan's Greatest Advertising Medium
COLUMBIAS 560K
FREE & PETERS, INC. NATIONAL REPRESENTATIVES

225 NBC Stations Privately

Looped for U.S. Army, Navy First Time in History

NBC and the United States Army and Navy held a dress rehearsal yesterday (Tuesday) of the national defense possibilities of using the network telephone circuit system for purposes of private instructional communication between the national capitol and radio stations throughout the country. From 11:15 to 1:30 p. m. every one of the 225 stations affiliated with the Red and Blue Waves filled in with local broadcasts while the land wires that make networks a reality were earmarked for and used for non-broadcast purposes by the Army and Navy.

General Robert C. Richardson and T. Kirby for the Army's public relations and Admiral Arthur H. E. B. Turner and Commander Norville Sharpe of the Navy's spoke from Washington and gave using the network and special events staffs particularly, and local station management generally, a summary of national defense public policy and practice. The actual remarks of the radio speakers were of the record but the distinctions between 'secret' and 'confidential' were given, cautioning news from unofficial sources were sounded and general exhortations to care and cooperation were made.

This is the first time in radio network history that the complete telephone circuit of a network has been experimentally used to permit the Government to declare itself to the outposts of American broadcasting. The program was arranged and was introduced by Abe Serechny, NBC's special events director.

Midland, Tex., Spruce-Up

Midland, Texas, June 10. An extensive modernization program will go into effect at 230 watts KRLH. Plans call for a \$25,000 improvement program which includes a new \$14,000 transmitter. KRLH is owned and operated by Clarence Schubarner and is the Midland Texas State Network outlet in this area.

Station airs on a frequency of 1,480 kilocycles with a power of 230 watts. W. H. McCumber is station manager.

HAVE YOU HEARD—
DICK GILBERT
(The Fifth Avenue Troubadour)
ON
FIFTH AVE. WOV NEW YORK
"He has created a new style."
"A definite advantage over straight record shows and the only one to the hill. Fused with showmanship and work of attention."
—Billboard

Take Your Pic!
We said...
and 6,293 did!

Cornfield Caruso Smilin' Eddie aired the offer on his cab concert with his "Mountain Boys," a free pic of his yodelers to dialers with pencils and pens.

Fact is, Eddie too-timed the gift gab on Monday and Tuesday programs at 5:00 p. m. By noon Friday, 6,293 cards fractured the placidity of Milly, the WNOX mail maid.

PHONEX! Remarkable? Unusual? "Simple stuff," says WNOX!

WNOX
C. P. Granted
10,000 WATTS
FULL TIME
Scripps-Howard Radio, Inc.
KNOXVILLE, TENN.
CBS • 990 Kc.
5,000 W. Day • 500 Night

Exhaustion Formula

Minneapolis, June 10. Rollie Altmeyer, WCCO engineer, is recuperating in St. Mary's hospital from a nervous collapse and when he returns to the job he'll modify his schedule. Married two months ago to Mae Barret, Altmeyer got up early every day for the WCCO "Sunrises" program (6-7 a. m.), played golf with his wife almost daily most of the balance of the morning and afternoon.

Then furnished the music at a local night club until the wee hours every night.

WFAA-KGKO INTO NEW PENTHOUSE QUARTERS

Dallas, June 10. Big civic whoopla will mark formal opening of the new WFAA and KGKO studio here, according to G. B. Dealey of The News Corporation, owner and operator of both stations.

Actual opening of the studios for public inspection will be June 21. The week of June 22 will be crammed with special broadcasts to which the public will be invited and which will climax with a celebration June 28 in honor of WFAA's 19th anniversary.

Niles Trammell, president of NBC, will be among notable of radio to visit here during week.

The two-story penthouse housing WFAA-KGKO has five studios, control rooms, news recording and audition rooms, offices and music library. All air-conditioned.

Schoolteachers Tied In On I. Q. Junior Quiz

Toledo, June 10. The Dr. I. Q., Jr., quiz show is now originating in the Crystal Room of the Commodore Perry Hotel, Toledo, and will be held to the Red network of NBC for six Sundays, ending July 6, from 5:30 to 8 p. m. Four WSPD announcers, who are handling the portable microphones and distributing prizes to the children are: Jack Harrington, a celebration, George Pickard, and Bob Evans.

Questions used on the program are compiled by four Toledo public school teachers, headed by Harry Lamb, supervisor of radio education for the local school system, including Dorothy Kellogg, Olive McHugh, and Helen Bradley.

Household Finance Tests At WKBH, LaCrosse, Wis.

Chicago, June 10. Household Finance Corp. is getting some new test announcements by the local BBO and is being tested on a 13-week ride on WKBH, LaCrosse, Wis., running six announcements weekly.

3D ANNUAL EXPANSION FOR WHTH, HARTFORD

Hartford, June 10. WHTH has taken over an entire downtown building in its expansion program for station in three years. The new WHTH presents a \$125,000 floor and studio remodeling job. Station is owned by The Times, local Gannett unit.

Shifting to the station from WRBC is Al Carter, former assistant chief engineer job. Replaces Howard Wensberg called to active duty with the Navy Reserve. Other changes at the station are Herbert Newcomb, formerly with WSAJ, Rochester, and Norman G. Smith, formerly with WBY, Waterbury. Both are mikes-men.

WRBC's announcer Gil Bayek has resigned to take charge of production at FM station W4TA at Southwesterly. Station has added Henry Broderick as an engineer.

Thin Man Woodbury Show for Wed. at 8

Woodbury will use The Adventures of the Thin Man as a summer pinch hitter in the Wednesday 8-30 p. m. slot on the NBC-Red. Series starts July 2.

The half hour has been previously gigged by Tony Martin and 'How Did You Meet?'

WFLA, Tampa, Quiz Stunt Clicks With Draftees

Tampa, Fla., June 10. A radio show for army men which is expected to serve as a pattern for other similar programs at air bases throughout the south was inaugurated on the south by WFLA, owned by the Morning Tribune. It is an audience participation program where army kids answering questions for money and fun, called "Star Spangled Quiz," over 400 jammed into small theatre for first show.

Show runs 60 minutes but is on for a quarter-hour daily (except Sunday) chore for air base boys. Past year or so has had the vocal solo in a program with the Midland Minirella via KMBC for Air Base Brau. For the St. Louis assignment the has been released from her contract with KMBC.

Second singer to be sold by KMBC to St. Louis station, is 20-months Bonnie King, a KMBC discovery, currently doing a live per week quarter-hour. Grieselbeck Brewing Co. over KMOX. Miss King remains under contract to KMBC, however.

KOY's Manager City Post resigned, however. At St. Louis, Jack Reilly, manager of radio station KOY in Phoenix and holder of a captaincy in Communist Party defense under Mayor Reid Shupe. City commission voted title at a special meeting.

Commissioner Reilly's job is to coordinate all of the defense activities of the city.

Gulf Brewing Extends

San Antonio, June 10. Gulf Brewing (Grand Prize Beer) has announced good announcements and news programs with regional network shows, both debuting here last week. The first "Highlights" on the Lone Star Chain each morning for a quarter-week with Marjorie Henshaw. The second is "Headlines in Song" and Highlights in News of the Texas weekly network each Tuesday through Friday.

Music by Bert Sloan orchestra. Shows by Lynn Cole. Rogers-Ga. agency.

Whiteletter Flech Hitting Philadelphia, June 10. Melvin K. Whiteletter, former foreign correspondent and news analyst for the Evening Bulletin, begins a series of 10-minute news commentaries, three times weekly, over KYW, starting Friday (13). He replaces Bessie Howard, who is leaving for a four through Canada and the Far East.

Miss Howard returns in the fall to assume her newscast, bankrolled by Grove's Bronco-Quintones.

Radio Daffodils

Philadelphia—There was a time when downtown Philly was cluttered up by sidewalk broadcasts until they became a major traffic headache. Today only one station carries on with the curbstone quizzers—WDAJ. Each day at 1:15 p. m. a speller quiz Stone holds a 15 minute free-for-all gabfest with passersby on current events. Only drawback to the program is that the sidewalk gypsies get so hot up on the subject of military strategy, they hang around and argue long after the broadcast is over.

San Antonio—A mysterious character, garbed in a flowing black robe and sandwich board proclaimed that WDAJ offered prize for the best answer in 20 words or less on "Why I Like Wheaties." Additional publicity was garnered by the station when the Mystery Man parading the streets was arrested for wearing a black robe.

Detroit—Transmission of the "Green Hornet" via WXYZ got stuck in the ground and kept repeating the same line: "Out of me, you, Astrod, me boy, and I'll bust down the door—crash!" Fans didn't know if radio doors were getting stronger or radio heroes were getting weaker.

Mexico City—One of Mexico's most ardent radio fans is in jail here. Youth was trailed to his hotel by cops investigating the theft of a radio receiving set worth \$500 (Mex). Fan confessed his crime, but pleaded that as he wants to keep up on the latest war, news and radio is the only way for him to do so and being broke, he was obliged to "confiscate" the radio.

"LIBERTY UNDER LAW"

10 Stations Now Use Lawyers' Show From WBNB, Columbus Columbus, June 10. Ten stations are now carrying transcribed "Liberty Under Law" program produced by WBNB under auspices of the Ohio Bar Association. With a 15 minute program based on the Bill of Rights and was originally presented locally only by WBNB in Columbus. It is now the parent organization taking over, with additional outlets: WABC, Akron; WJTV, Akron; WYOH, Youngstown; WSPD, Toledo; WSTV, Steubenville; WPA, Portsmouth; WMRN, Marion; WIZF, Springfield; WLA, Ashland; WKRC, Cincinnati.

Irwin Johnson, director of developmental programs for WBNB is in charge of the series. Scripts are written by the lawyers, who also double as professional actors in the cast. Ruth Alton serves as script editor and advisor, with staff organist Lowell Riley also featured.

Uncle Sam Depletes Staff Of WMAS at Springfield

Springfield, Mass., June 10. Competition with Uncle Sam's draft—not to mention larger outlets which can offer higher pay—is getting the best of WMAS manager, into a savage state. During the past week he lost Lee Alrie, announcer, to the army, making things even worse.

Program Director F. Turner Cooke, reservist was called to duty, and Announcer Frank Norton was drafted. Kris Mantas, engineer, also has left. Now Martin finds he is handling program direction, advertising, general supervision and practically everything else. It very discouraging, he thinks.

PAT FLATTERY OFF

San Antonio, June 10. In a surprise move, Pat Flattery, probably the most popular sports announcer in Texas, resigned his post at station WOAI. No reason was given for the resignation.

Understood he will go to Pacific Coast and then east to seek another radio position.

KFEL 24 Hours
A Day
Every Day
Represented by BLAIR

THE ONEILL'S
BY ASH WEST
NOW RADIO'S MOST POPULAR
FAMILY BRINGS YOU MORE
LAUGHER BARS AND HEART-THROBS
Presented by 375 Soop 99
LISTEN TWICE DAILY
NBD Red Nighthawk 12:15 to 12:30 P.M. EDBT
WABC-5:30-5:45 EDBT-CBS
COAST TO COAST
DR. COMPTON ADVERTISING AGENCY
151 ST. DWIGHT-BLDG., NEW YORK CITY

It's KSFO Week in San Francisco

Sells Winter From WBT—Wedding Ring an Oakley to Opera House for KSFO Sponsors Gala Event

San Francisco, June 10. New slant in radio promotion, for prices anyway, is being tried by WBT Memorial Opera House June 29 by the Albert Samuels jewelry store. The "WBT Memorial Opera House 'Who's Dancing Tonight'" show aired Sunday nights on the St. Francis Hotel. The broadcast of the 29th will be shifted to the 3,500-seat opera house with admission free to those who have purchased wedding rings at the store, which plugs itself as a store of lucky wedding rings. Firm has about 100,000 people eligible for duets. Many are no longer here but the firm figures 3,500 should be left anyway. Those who show up will play games for an hour before the actual broadcast. The award rounds are 100 tickets and other heavy-budget prizes to winners. First day after an announcement was made on air, 380 ticket requests were received.

Idea was cooked up by Jay Aitch, manager for the firm, and Hugh Linkletter, who handles the half-hour interview series.

Challenging Richfield
One of the fastest sales jobs in recent memory is the one being done by William Winter, newscaster brought here from WBT, Charlotte, North Carolina, a month ago by Lincoln Dellar, KSFO general manager. Final linking was due this week on a contract which the CBS sales chief, could get back to the eastern agency with his three-way presentation.

New series is unique in several respects, for it marks the first time a rival alter has changed Richfield's position in the news field. Later has ridden the 10 p.m. NBC Red 'edge with its Richmond Reporter for more than a decade. Winter, however, won't be direct opposite, being spotted at 7:45 a.m. This likewise is new for an alter; hasn't been one on that early in years.

Understood that one of the contract stipulations is that Winter must originate his commentaries from KSFO studios. Lord & Thomas agreed.

Also new on KSFO this frame is a Fall Mall campaign of 27 spots per week.

Current vogue for five-minute live shows here won concrete endorsement this week when Bud Beer, first sponsor to buy a five-minute KPO, increased its allotment from three to four nights a week. Using a sportsman account varies five in a row, but the station hasn't been able to clear time.

Not to be out-done by Kemp's 20 new presentations, Al Nelson and William Ryan of KGO-KFO have a new series, "The Living End." Evolved or crystallized as a result of the new weekly all-department mass staff meetings for five-minute, one 10-minute, six 15-minute and seven 30-minute shows. The lot have now been waxed and are making the rounds.

On many of these shows, actual

dummy commercials are used so that prospects can hear their proposed spots. Many of the commercial platters, faded in at the proper time, permit switching of commercials to suit current affairs.

Indie KSWN has landed Transport Motors (Wyllis) for two half hours weekly from the Teleneas theatre. Acoustic take-over has been expanded the interview show, 'Speak Up,' which encourages folks to be heard on current affairs. John Tobin, assistant manager of the Teleneas will handle the mike.

Some station also picked up a novel commercial in shape of six remotes from a new neighborhood super market.

Dr. Lyon's Tooth Powder, subject of a test campaign on KSFO using news daily except Tuesday and Saturday, has increased the sell from five to 10 minutes. Blackett-Sample-Hummert agency, whose station is getting a real test-thing from California Spray Chemical which is forming its new Ortho branch station, is taking it over as KSFO's Farm Journal. Product is so new that up to the time it first got on the air, it hadn't been distributed to all dealers, and no other form of advertising is being used at present, according to Austin Fearn, Journal editor. Long Advertising is the agency.

Brincher, Davis is mulling a radical version of the best-selling 'Out of the Night.' Optioned the other rights but hasn't decided on treatment as yet.

KSFO: General Brewing Corp., through McCann-Bricker, buys 30-word and six 50-word spots weekly, through November; Patrick's Glass Polish, direct, one 30-word spot Mondays, indefinitely; Southern Pacific Co. (railroad), through Lord & Thomas; participation in Housewives Protective League, Monday through Saturday, through September 13; Lindsay-Ripps Radio Co., through Lord & Thomas, Monday through Saturday participation, Housewives Protective League; Beach-Nut Packing Co., through Newell-Emmett Co., 41 35-word spots weekly; Foster Products Corp. (of Bixby's Jet-Oil), through Benton & Bowles, five chain-brake spots per week; Romo Wins, through Cesana and Associates, 1,500 one minute transcribed spots through April 2, 1942; Stasia Water Company, through Brewer-Weekes, 13 50-word spots; Meritholton Co., through Hillard Jacobs Agency, Atlanta, three spots weekly through August; California Spray Chemical Co. (for worm spray), through Long Advertising, San Jose, seven 50-word spots weekly for KGO Radio Pictures, through Donahue & Co., seven spots; Manhattan Soap Co., Inc. (Sweethair Soap), through Franklin Bruck, N. Y., six quarter hours weekly through Sept. 6, 1941; Maryland-Pharmaceutical Co. (Rem-Balm), 10 one-minute transcribed spots weekly, six months; California Spray Chemical Co., through Long Advertising three participations weekly, Farm Journal, through Long Advertising, one 10-minute, six 15-minute participations weekly, Housewives Protective League, through February,

1942; Marvelous Marin, through Seegal agency, one 1-minute transcribed spot weekly; Langendorf Bakeries (for bread), through Leon Livingston, 12 spots weekly; Olympia Biscuits, through Botsford, one 1-minute transcribed spot weekly; Macey's Jewelry Co., direct, 150 30-word spots; Procter & Gamble (for Dash), through Pedlar & Ryan, N. Y., five 30-second spots weekly; Life; Weinstein's Department Store, through Long Advertising, 12 50-word spots; Downtown Association of Oakland, participations in Farm Journal; Mark Monis Tire Co., through Long Advertising, 25 30-second spots weekly through Feb. 6, 1942; William Wrigley Co., through Botsford, 12 30-second spots weekly; 'Dear Mom,' Wheeler, Reynolds & Slaughter (for Carbon-Bisulphide), through Walker, four participations weekly; Farm Journal; Golden West Brewing (for beer), through H. V. Wasby, 25 30-second spots weekly; 'News Quiz,' Colonial Dames, Inc., through Glasser-Galley, three spots weekly; Rosellier (for Mico), through Fletcher S. Udall, eight participations, Farm Journal; 'The Saturday Evening Post,' through Reinhardt, Oakland, 158 50-word spots; A. Boyle Co. (for Antrol), through Walker, 10 30-second spots, six participations weekly, Housewives League; Langendorf Bakeries, through Foster Products, through Leon Livingston, five spots weekly; Calvehy Co., through Seegal, through September; Nash Kelvinator Corp., through Geyer, Cornell & Co., through H. V. Wasby, two one-minute spots weekly.

Comparative Unit Count	
June 7, May 31 Change	% of
Network	9,385 9,885 +1.1
Total	3,981 4,908 +2.3
Local	5,404 4,980 -7.8
Local Spots	1,552 1,521 -2.0
Total	14,738 15,231 +3.4
(Included: KFRC, KGO, KJRB, KPO, KSFO)	

LOCAL UNIT COUNT DOWN 8% IN SAN ANTONIO

San Antonio, June 10. Local program cutbacks this week caused a resultant drop in local units. Baseball games in some instances factor in.

Charles Baltrope, merchandising department head of KTSA, off to St. Louis on a bid and vacation trip. Taylor of the St. Snowders Home group of which KTSA is a member, was in for a brief visit last week.

KONO: Acme Glass Co., one announcement per day. Gwinn's Drive In, four announcements per week. Fred Huefmeier, the florist, one quarter hour program per week. Beyer Co. increase of six announcements per week. Eagle Furniture Co. announcements for R. C. A. 24-hour news program, through Gruno Refrigerators.

WOAI: Joske's Military Center, one announcement per week. Laboratories, through H. W. Kastor & Son, for Groves Child Tonic three quarter hours per week. Studio program featuring Red River Dave.

KABC: G. C. Zimmerman, the typewriter man, quarter hour program per week for one year. Ashly Fish run one five minute program each Saturday. Roemer, paint and Wallpaper Co., one spot announcement per day. Renewal of White Laboratories for Transmittal, through Goulden Co. Wm. Filene's Sons Co. evening news announcements, White Owls, of Raymond Gram commentaries through Mutual Broadcasting Co., through J. Walter Thompson. American Service, through J. Walter Thompson, Co. broadcasts of Wythe Williams each Tuesday and Thursday over W. J. Reynolds for a quarter hour. On the baseball side of the ledger San Antonio Seven Up Co. six complete games.

Comparative Unit Count	
June 7, May 31 Change	% of
Network	6,000 6,000
Local	9,713 10,613 -8.5
Local Spots	2,374 2,535 +6.9
Total	15,717 15,236 -3.1

*No change. (Included: KABC, KMAC, KTSA, WOAI)

KROD ONE YEAR ON AIR
El Paso, Texas, June 10. Station KROD (Dorance Roderick) rounded off its first year in order for 'Blonde' and Al Pearce programs from R. J. Reynolds via CBS.

Open Air Ams Under Participation Sponsorship on KDYL, Salt Lake

GOOD BIZ IN BOSTON

Leamith Bluffs to WNA3—Filene's Dept. Store on '31

Boston, June 10. Business continued good here.

WNA3: Spencer Shoe Corp., 11 30-second announcements, Sunday, Mondays, Wednesdays, Fridays, beginning June 15, through Chambers & Wiswell; Kay Jewelry Co., one 100-word announcement, June 6, through Richard N. Sallinger; Boston Globe, two one-minute transcriptions, June 4, through BBD&O; Wm. Filene's Sons Co. (department store), one 100-word announcement, June 6, through John C. Dowd; Revere Racing Association, 68 100-word announcements, daily, commencing June 15, and 36 100-word announcements, same schedule, beginning Sept. 19, through Goulden Co.; Corn Products Refining Co. (Linit), one-minute transcriptions, dated except Saturday and Sunday, in local news, starting June 12, through C. L. Miller Co.

W.A.B.: Paramount Baking Co., five participations in 'Sports Intimacy,' Monday through Friday, starting June 12, through David Malkiel; First Federal Savings & Loan Association, extension of contract for 27 100-word announcements, Mondays through Saturdays, started May 28, through Doremus & Co.; Henley Kimball Co. (autos), renewal for eight 100-word participations in news service, Monday through Friday, started June 2, through Glaser & Gotschall; Clinton Clothing Co., two 100-word participations in news service, May 29-30, through Brenick & Solomon; Revere Racing Association, 104 100-word announcements, Mondays through Saturdays, June 16-Aug. 30 and Sept. 22-Oct. 30, through Goulden Co. Wm. Filene's Sons Co. (department store), one 100-word announcement, June 2, through John C. Dowd Co.; Clinton Clothing Co., one 100-word participation in news service, June 2, through Brenick & Solomon; Stillphen Motor Co., 20 100-word service announcements, Mondays through Fridays, started June 4, through Harry M. Frost; Boston Globe, three five-minute transcriptions, June 3-4, through BBD&O; Moongate Restaurant, four participations in 'Sports Intimacy,' started June 3.

WEEI: Boston Globe, morning and evening announcements, through BBD&O; Cape Cod Steamship Co., daytime news announcements, through Alley & Richards; Glendale County Co., daytime news announcements, through Peter Paul (Walmarticandy), extension of three five-minute programs weekly, through Fair-Forbes; Revere Racing Association, 24-word nighttime time signals, through Goulden Co. Wm. Filene's Sons Co. evening news announcements, through John C. Dowd.

Salt Lake City, June 10.

KSFL reports its commercial schedule for June stronger than last year with outlook very good for the summer. This week saw the opening of the second KDYL open air series in Liberty Park with Sun-Freeze Ice Cream, Veterans Meet, Winkler and Art Gardiner rotating sponsorship. Amateurs will compete for airplane trip to Los Angeles in show called 'Stars of Tomorrow.' Also opened this week was the 'Spur' sponsored show at the Capitol theatre, a 15 min. quiz broadcast from stage of 15 min.

Lines were closed this week to the Army Reception Centre at Fort Douglas, preparing for a regularly scheduled U.S. Veterans Meet Winkler and Art Gardiner rotating sponsorship. Amateurs will compete for airplane trip to Los Angeles in show called 'Stars of Tomorrow.' Also opened this week was the 'Spur' sponsored show at the Capitol theatre, a 15 min. quiz broadcast from stage of 15 min.

H. Perry Driggs, KSFL Promotion Director, leaves for Coast for conference with CBS execs as client. Shaw, KSFL Production Manager is back from vacation following the N.A.B. convention in St. Louis.

Comparative Unit Count	
June 7, May 31 Change	% of
Network	1,441 1,702 +18.8
Local	1,232 1,435 +16.5
Local Spots	1,232 1,435 +16.5
Total	10,795 11,846 +10.1
(Included: KDYL, KSFL, KUTA)	

DETROIT PRE-SAMPLES SUMMER FALL-OFF

Continuing the slide, Detroit's six stations fell off again in all categories; however, no one came down as much as WJLB. As one sales staff put it, 'At least that's something.'

Position here is that accounts are holding on better, despite the losses, for in the comparable week of last year such extensive drops as 4.4 in network, 13.3 in local, and 9.3 in spot were recorded, one of the lowest ebbs. Compared to those falls of 1.1 in network, 1.7 in local, and 1.8 in spot are downright encouraging for the season. However, money here is plentiful, which accounts for the maintenance of local business at close to 3,000 above the same period for 1940.

WJLB: CBS Broken Circus, 98 one-minute announcements on peculiar spacing of four on June 5, six on 11th on 7th, four on 11th, six on 12th, and eight on 13th.

Comparative Unit Count	
June 7, May 31 Change	% of
Network	8,235 8,235
Local	12,811 13,027 -1.7
Local Spots	4,718 4,798 -1.8
Total	25,764 26,148 -1.5
(Included: CKLW, WKLB, WJLB, WJW, WJXZ, WJZB)	

In the Intermountain Market people prefer the lively Showmanship of



COVER SOUTHERN COLORADO FROM THE MOUNTAINS!

COLORADO SPRINGS CBS NETWORK

APPLAIED WITH WKY OKLAHOMA CITY, OKLA. THE OKLAHOMA PUBLISHING COMPANY THE KAZA AGENTS INC. NATIONAL REPRESENTATIVE

POPULAR S. NBC RED NETWORK

\$50,000 In One Minute Blurs for WFLM From Palm Mall (Rutbrauf & Ryan)

Hollywood, June 10. One of the biggest spot contracts ever placed locally was landed last week by KXKZ to use the Palm Mall for an offensive radio list. American Cigarette & Cigar Co. opened a Coast campaign for Palm Malls by awarding the Columbia station 1,248 one-minute transcriptions. Non-cancelable one-week contract will net the station more than \$50,000.

Other sites garnered little new biz to overcome the desiccatory movement of current time sales. KECA: Sweetheart Soap, 35 quarter-hour newscasts, through Lord & Thomas; Klondike Creamery, 25 quarter-hour broadcasts of 'Twilight Tales,' through Heinemann; 'The 20 Announcements,' through Eugene Ross. KFL: Mentalism, 30 announcements, through Dillard Jacobs.

KEHJ: Adolph Milk Farms, 39 quarter-hour periods, through Lord & Thomas; May Co., six quarter-hour spots; Bullock's department store, 10 spots, through Lord & Thomas; D. Corp., 65 announcements, through Torrey & Torrey; California Crown Sugar, 16 quarter-hour broadcasts of William Wirt, through Lord & Thomas; Palm Mall cigars, 100 spots, through Rutbrauf & Ryan.

Comparative Unit Count table for WFLM with columns for June 7, May 31, and % of Network.

WFLM: Union Oil, 65 quarter-hour broadcasts of William Wirt, through Lord & Thomas; Palm Mall cigars, 100 spots, through Rutbrauf & Ryan.

Comparative Unit Count table for WFLM with columns for June 7, May 31, and % of Network.

CHICAGO MOTOR CLUB UPS AIR BUDGET 100%

Chicago, June 10. News continues to dominate the local commercial market, and as such as the world situation is unstable the news periods will continue to be important from every viewpoint. Chicago Motor Club, which had a three-week 15-minute news show, is bringing on Sundays, Tuesdays and Thursdays, has boosted its air time on WGNR a full 100% to 15 minutes. Three more spots weekly, running on Sundays, Wednesdays and Thursdays. Set through the Aubrey, Moore & Wallace agency.

Comparative Unit Count table for CHICAGO MOTOR CLUB with columns for June 7, May 31, and % of Network.

'THRIFTY DAN, CAMERA MAN' WSMC Closes Double-WLAC Sells The Old Dies Dobber

Nashville, June 10. Mair Laboratory has purchased 15 minutes of WSM's Grand Ole Opry, through Schaffer, Brennan & McCallis agency, for a radio series developing and enlargement of pictures. Show called 'Thrifty Dan, the Camera Man.' Beeman's Laboratories, Atlanta, have contracted for part of Opry, starting in September. Zirvey Massengale agency booked the biz. Standard Candy decided to air its bubble gum campaign, using a stick candy throughout the summer over WSM. It is a series of one-minute a. t. spots locally made and released by the Goo Guys. WLAC has sold the local 'Old Dirt Digger' to General Mills for one year. Goodrich Tire has bought the Herman Grinstead sports review with the early evening sports review.

Mimus Sign in Seattle

Seattle, June 10. Seattle continued a slight week-increase, with KOL booking a number of scattered spot campaigns and adding the 'Imperial Time' and 'Danger Is My Business' for Axton Fisher Tobacco Co.

Comparative Unit Count table for Mimus Sign in Seattle with columns for June 7, May 31, and % of Network.

*No change. (Included: KIRO, KOL, KRSC)

Pennsy State H'way Safety Drive Set For WFIL, WIP

Philadelphia, June 10. With the roads getting jammed on weekends with vacation-bound motorists, the Philadelphia Police Department has purchased time on two stations for a 'drive safely' campaign. From June 10 to the end of the summer driving season, spot announcements urging safety will be heard on WFIL and WIP. The deal was set through the Benjamin Deelman agency. WFIL: 'Keep-It-Right' program for Monday, June 16, dedicating its hike from 1,000 to 5,000 weekly spots will be tabbed 'Radio Serve' and will feature speakers from Army, Navy, Marine and Air Corps, as well as representatives of other public agencies which received free air time on the station in public service programs.

WFL: Philadelphia Dairy Products (ice cream), six participations weekly, through A. C. Schaefer; Henry A. Dreer, Inc. (seeds), six spots weekly, through Madara; Procter & Gamble (Dix), four spots weekly, through Compton Advertising; Fox Weiss (furs), 10 participations weekly, through Harry Feigenbaum; Woodside Park, 24 spots weekly, placed direct; Dr. Swetts (Bulb), eight spots weekly, through C. L. Miller; Steel Pier, Atlantic City, six spots weekly, placed through Philip Klein; 10 minute transcription program, Wey through Eron Wainright; Sley System Garage agency, one spot weekly, through Adrian Bauer.

WBG: Square Deal Furniture Co., additional 10 spots weekly, through Harry Feigenbaum; Frankford Radio & Electric Co., two 15-minute participations on Doug Arthur's 'Dancehall' weekly.

WIP: American Fruit Growers, 100 spot announcements, through Walker & Downing; Axton-Fisher Tobacco Co. (Spuds and Zephyrs), two 15-minute spots weekly, through W. C. Beck; W. C. Beck & Geller; Caden (weekends), five spots per week, through Philip Klein; Garden of Eatin' Shoes, six spots per week, through Dan Rivkin; Megowen-Edwards, 69 spots weekly, through John W. Queen, and Dr. Swetts' Rot, five spots weekly, through C. L. Miller. Dan through Bettis-Koerber agency, spots.

Comparative Unit Count table for Pennsy State H'way Safety Drive with columns for June 7, May 31, and % of Network.

Baptist Church Gives KFEL Seven Quarter Hours; Gas Renewal for KLZ

Denver, June 10. Local church renewal of seven quarter-hours weekly over KFEL for one year, and Terry Carpenter service stations' buy of 155 quarter-hours to be used by Dec. over KFEL, were last week's toppers. KFEL: Englewood Baptist Church, seven quarter-hour spots, one year; Royal Diamond, through Allen & Reynolds, agency, 15 mins. daily, through Raitor; Gas Renewal, through Dyers, through Max Goldberg agency, two announcements daily, one year; Banner Brewing Co., through Buchanan agency, three announcements weekly, five months; Broadway Country Club and Edith Ott's By-the-Lake, three spots, 20 one minute; Griffith Motors, 26 announcements, through Walter Eha, through First United Broadcasters agency, three five-mins. weekly, one month; Yeto, 30 spots, 30 minutes, one month; Co., 52 announcements; Charn Programs, through United Ady. agency; Theatricals, through Spil Broadcasting, for Arrid, three spots weekly, for Carter's Little Liver Pills, one spot weekly, through Lydia Pinkham, through Erwin Wasey agency, two additional spots, through Erwin Wasey agency, one spot; Green Bros., through R. Y. Reeves agency, 11 spots; Kendrick & Kendrick, through Walter Eha, quarterly, 26 spots; KFLZ: Terry Carpenter, through Bettis-Koerber agency, two spots; Everett & Barron, Sloan White, 26 spots; Pirestone Tires, through Max Goldberg agency, two spots; Kendrick-Bellamy, through Walter Eha agency, 26 spots; Merchants Boutic Co. through Ball & Davidson agency, 1756 temperature report; Bowey's, Inc., through So-nore agency, 52 spots; Mercantile, through Dillard Jacobs agency, 52 announcements; Cligott Bros., through Max Goldberg agency, 130 announcements; Continental Oil Co., through Tracy-Locks-Dawson agency, 26 spots.

KOA: Hartz Mountain Products, through Geo. H. Hartman Co., five quarter-hour transcription programs; Dawson Oil Co., through Tracy-Locks-Dawson agency, 26 announcements; Weston Auto Supply, one spot; Bettis-Koerber agency, two spots; Reuters Digest, through Batten-Brown agency, 12 spots; Radio 12 announcements; Rainbow Bread Co., six weather reports; Hecker Bros., through Bettis-Koerber agency, 15 chain breaks; Sears-Roebuck, through E. O. Shaw agency, 39 transactions; Bluh, through Bettis-Koerber agency, 52 announcements.

WJW: Remple Fur Co., through Max Goldberg agency, 52 spots; Ellich Gardens, through Robertson agency, 104 announcements; Stokes Canning Co., through Otto Straw agency, 500 spots; U. S. Drug, through Max Goldberg agency, 260 spots; House of Loveliness, through Raymond Keane agency, spots; Bettis-Koerber agency, 10 spots; McCann-Erickson agency, spots; Rosenstern Bros., through Ted Yetter agency, spots; Garden of Eatin', through Northwest Radio agency, transcription short features; Giganteo, through Max Goldberg agency, spots; Nathanson Auto Co., through Raymond Keane agency, spots; Car-Dan, through Bettis-Koerber agency, spots.

Comparative Unit Count table for Baptist Church Gives KFEL with columns for June 7, May 31, and % of Network.

WOR Alters Operating Policy; WBYN Enters Biz-Chasing Race In New York

As another move to strengthen its summer position, WOR, New York, is now planning to begin soon on a schedule of 24-hour operation. Existing starting date not set, but it will probably be Tuesday (17). New York's WOR will be in effect Tuesday-through-Saturday, with the present 2 a. m. sign-off remaining in force Sunday and Monday nights. However, the station hopes presently to get FCC permission to use the emergency transmitter the two odd nights the regular transmitter is being over checked, thus enabling continuous operation throughout the week.

Week of adding the two-and-a-half hours of broadcasting beyond the present 2 a. m. sign-off is that in such industrial communities as Bridgeport, Hartford and New Haven, Conn., various update New York cities and the New Jersey area. WOR will own like Newark, Jersey City, Bayonne, New Brunswick, etc., there are scores of factories working 24 hours a day because of the defense drive. Fact that many stores in those places now have late bulletins at the half-hour. WOR executives that there is now a sizable listening audience to be tapped in the pre-dawn hours.

Programs Uncertain. Question of programming the extra hours of broadcasting still wide open. There will probably be news summaries every hour on the hour, with late bulletins at the half-hour. Also possible that some of the regular Mutual daytime programs, such as Henry Morgan's 'The Morning Show' may be rebroadcast at that time via transcription, with the commercials deleted. There will almost certainly be recorded music programs, though probably not the kind of dance-pop stuff comprising most all-night shows on the smaller stations. No one has yet been selected to handle the programs. But one thing is certain—the station will try to sell as many spot announcements as possible for the added period.

Entire move of stretching the day's schedule fits in with WOR's new campaign to hold and attract new listeners and sponsors during the summer. Besides adding several announcements in the new series, the station has switched previous plans and is holding such programs as 'Beats Beatty and Beat' on Monday on the air throughout the summer. Ideas that over the hot months, WOR will conduct special advertising holding its audiences and getting new accounts, some of which stick around.

The new station formed by merging four Brooklyn stations leads off with completion of a six in Manhattan.

WOR: United Shoe Exchange, through Klingler Advertising, 38 week contract, 40 spot announcements weekly. Edelstein Dairy,

Comparative Unit Count table for WOR with columns for June 7, May 31, and % of Network.

through A. B. Landau, paragraphing (home instruction), through Huber, Ben Marden's 'Farmers Digest' contract daily five-minute participation, 'Art Green's Gramophone,' Garden City Publishing (Business Encyclopedia), through Huber, Hoe & Son, 52-week contract, through Huber, Hoe & Son, 52-week contract, daily five-minute participation, 'Women's magazine of the Air,' P. J. Letroy (plane instruction), direct, 13-week contract, 12 quarter-hours weekly; Rose Garden Homes, direct, five participation weekly, 'Buck Mason's Westerners'; Trump, Homes, direct announcements.

WINS: National Schools of Los Angeles, through Huber, Hoe & Son, 13-week contract, 24 quarter-hour newscasts weekly.

WMCA: Ben Marden's Riviera, through R. J. Kupscik, 13-week contract, 10 quarter-hour programs; Elks Rendezvous Restaurant in Harlem, direct, renewal of contract for two quarter-hour news programs weekly, 'Chris Columbus and Orlando,' through Max Goldberg agency; Providence Plantations, through Ben Bernstein, six participations weekly, 'Rise and Shine' weekly.

WNW: Eagle Eye Co. (U. S. Rubber Tires), through Terri, Belknap, Marsh Associates, 26-week contract, quarter-hour transcription program weekly, 'Transcontinental Tours,' Hollywood Model Service, through Max Goldberg agency, 13 quarter-hours weekly, 'Dance Parade,' Central Railroad of New Jersey (mountain suits to Sandy Hook), through Richard A. Foley, 13-week contract, 12 announcements weekly; Ben Marden's Riviera, through R. J. Kupscik, 13 week contract, 10 announcements weekly.

WOR: Gardner Nursery Co., through Northwest Advertising, six week contract, two-minute announcements weekly; Morris H. Siegel's Sudbury Laboratory, through Mason L. Ham, two week contract, 3 one-quarter-hour transcription programs; Reuters Digest; Ben Marden's Riviera, through J. R. Kupscik, 13 week contract, 10 quarter-hour programs; Garden of Eatin' and Providence Plantation, through Ben Bernstein, four week contract, one-minute announcements weekly; 'Happy Jim Parsons Program,' Roma Wine, through Vertigone agency, 'Walt Hoyt,' various time.

WOR: Trump Homes, through International Radio Broadcasting Service, 6 ten-minute news programs weekly; Morris H. Siegel (insurance counselor), six additional announcements weekly; Manhattan Beach Hotel, 10 week contract, six one-minute announcements weekly; Castle Hill Speedway, 2 five-minute programs weekly.

Gordon Bakeries Into Six Radio Markets

Gordon Bakeries is placing a spot campaign through Geer, through Max Goldberg agency, with starting date. It will be a transcribed dramatic show on a schedule of three 15-minute per week.

Markets involved are New York, Chicago, Detroit, Toledo, Flint and Jackson, Mich.

Big Palm Mall Spot Splurge

Palm Mall cigarette has extended its spot announcement campaign to the point where the aggregate is paying for 1,256 spots a week. So far the spots are being booked by WFLM, Buffalo, Philadelphia, Detroit, Pittsburgh, Chicago, Los Angeles and San Francisco, and other markets are being added. It's the result of using from 16 to 42 spots a week on each outlet and all contracts are for 13 weeks, with Rutbrauf & Ryan being the agency. It's the result of using since the Lucky Strike splurge of two years ago in which it featured the time and the auctioneer's gurgle.

Table showing market and number of stations for Big Palm Mall Spot Splurge.

The markets set and the number of stations in each follow:

Table showing market and number of stations for Big Palm Mall Spot Splurge.

Union's Control Over Members Action Sees Endangered By Penn Verdict; AFM May Appeal

Philadelphia, June 10. Local 77, American Federation of Musicians, is contemplating an appeal to the U. S. Supreme Court, ordering the reinstatement of three ousted members and their reinstatement for the time lost from employment during their ouster for alleged chiseling on scale. Officials of the union feel that the Superior Court's order (it was also upheld by the Pennsylvania Supreme Court) did not stand, would establish a dangerous precedent and would weaken the control of union leadership over members.

The three men were former members of the Carman pianist, George Tipton, Alvin Schatts and Leon Gordon. They were accused of playing under scale and were first found not guilty by Local 77's trial board. The board was reversed by the international executive board and the men were ordered to pay \$100 fines each. They were expelled for non-payment of fines.

Officials of Local 77 were sketched to huddle with AFM President James C. Petrillo this week at the AFM convention in Seattle to determine what action to take.

Musikers Pitch In For Beach Opening; Canada's Boom Time

Ridgeway, Ont., June 10. Manner in which Canada's part in the war has cut down all manpower for other uses was illustrated at a concert of Crystal Palace orchestra resort, when musicians were pressed into service to make change after young, intricate, help all but fainted from exhaustion.

Report opened Memorial Day (30) were most hit by these years, mostly Americans from Buffalo across the lake. Canadians don't observe holiday, and what's more they much too busy in aircraft and other war industry plants. Men who held the dance-hall ropes and held kiddies onto amusement rides now are playing the high lights, wages tightening bolts on Britain-bound fighters.

Instead, spot had hire youths not old enough for Army or not in defense plants, many 15 and 16 years of age. Some of the most interested fingers rolling into tickets and pushing mazzina out the till after only a few hours of the balance representing day biz, related Harold Austin, bandleader who manages dancing, so he had to rush some of his bandmen into the cages.

Report expects continued high season especially in the summer and going into effect in United States. Spot is reached by boat or car. "I'm sure a few of the American shekles, spot will play name bands starting June 28 with Gene Krupa and Benny Goodman. Toronto's CBI, Canadian faves, booked in July 1.

Lawyers Win Over Heidt

William and Francis Prucell, attorneys, were granted a \$207 verdict out of \$5,800 asked against Horowitz in the U. S. Supreme Court Thursday (5) by Justice Julius Hoffman. The attorneys were suing Horowitz for breach of contract in connection with Beachcomber Restaurant and Monte Proser. Heidt also defendants with Heidt claiming the ABC's. Heidt is interested in to align with Proser. The remainder of \$200 was for representing Heidt in a divorce action. Heidt had filed a counter action for \$40,000 claiming the ABC's. Heidt cost him that amount by neglect of their duties, but withdrew this claim after the verdict. The verdict granted the attorneys \$200 on the ABC matter, and \$2,000 on the divorce proceedings, with the balance representing interest.

Barry Wood's Patriotics

Barry Wood cut the first record version of Irving Berlin's latest patriotic tunes at Victor Records New York studios Monday (9). His singing of 'Any Bonds Today' and 'Arms For the Love of America' was accompanied by the Lynn Murray choir.

Wood went to Washington, D. C., singing the tunes from the steps of the Capitol last night (Tuesday). Occasion was the renewal of effort in support of the Government's Defense Bonds and the celebration of 'Arsenal Day.'

Defense Com Inspires Name Band Policy

Sandusky, O., June 10. On June 14 Benny Goodman users in the summer season at Cedar Point. Three years ago the operating company decided to use name bands as a hypo to pull it up into the air with music. (Special Government is building a \$32,000,000 TNT plant just across the bay.)

In anticipation, the G. A. Boeckling Co., which owns and operates the entire enterprise, has announced is building a \$32,000,000 TNT plant just across the bay. Jack Lavin has rejoined Paul Whiteman as personal manager and head of his New York office. Lavin will continue to handle his own talent but out of the Whiteman office in a partnership arrangement with the maestro.

Lavin and Whiteman parted about three years ago after an unbeaten connection of five years. A. Le Leonard and her 'All American' Radio and Orchestra at the Cascaud House of the Hotel Ohio, Youngstown.

Henry Bess, June 20 to 26; Bob Chester, June 27 to July 3; Benny Goodman, Aug. 2 to 10; Frankie Masters, July 11 to 17; Raymond Scott, July 18 to 24; Grini Tucker, July 25 to 31; Glen Gray, Aug. 1 to 7; Gene Krupa, Aug. 8 to 14; Duke Ellington, Aug. 15 to 21; Alvin Karpis, Aug. 22 to 28; Ted Weema, Aug. 29 to Sept. 1.

Steel Pier's Name Bands

Atlantic City, June 10. Alvin Karpis' orchestra begins the list of acts scheduled for Steel Pier, starting June 28. Rey plays from this date to July 3. Orrin Tucker listed for July 4 and Jimmy Dorsey July 5 and 6. The list follows: Raymond Scott, July 12; Harry James, July 13 to 19; Benny Goodman, Aug. 2 to 10; Bob Chester, July 25 to 31; Sammy Kaye, July 26; Orrin Tucker, July 27 to Aug. 1; Duke Ellington, Aug. 2 to 8; Woody Herman, Aug. 9 to 16; Gene Krupa, Aug. 17 to 23; Benny Goodman, Aug. 24 to 30; Charles Barnet, Aug. 25 to 29; Glenn Miller, Aug. 30 to Sept. 1 (including Labor Day); Alvin Karpis, Sept. 2 to 5, and Tommy Dorsey, Sept. 6.

Tom Dorsey's Operation

Tommy Dorsey is closing up on dates between his July 14 appearing at the Astor Roof, New York, and scheduled Aug. 27 opening at the Paramount Theatre, N. Y. Leader has been in hospital for a long-delayed appendectomy. Bill Bradley's band follows Dorsey's into the Astor.

Buckeye Hall Has Room for 5,000 Hoofers

Columbus, June 10. Convention Hall, Buckeye Lake Park, O., is being remodeled by designer Dick Asburgh into a dance floor with floor space for 5,000. Park manager A. M. Brown and Lou Peppé, manager of Columbus' Valley State will collaborate on representation of name bands, planning to open new spot on the 22nd with Crystal Dancerella will continue to book house band attractions, Bobby Day current.

SOUND SYSTEM ASSISTANT V. BAL ROOMS

Auburndale, Mass., June 10. Musician's unions practice free economy in using a hundred dollar public address system to show off a \$5,000 attraction. Roy Gill, Gilber, operator of Tolem Polo Ballroom here.

There are the dancers disappointed in the band, after having heard it on the air and on records. "These patrons are gradually start drifting away because the spot will lose its appeal," Gill continued. "If my own case, bands have complained the present amplifier we now use here, but I have heard that the use of a small RCA system and it will be installed within a week."

"My patronage increases each week, but I realize they are entitled to the best and they will receive it, if it is possible. "I could never listen to a singer or an orchestra as distorted by some P. A. systems, and certainly I can't expect my customers to do that," Gill concluded.

JACK LAVIN BACK WITH PAUL WHITEMAN

Jack Lavin has rejoined Paul Whiteman as personal manager and head of his New York office. Lavin will continue to handle his own talent but out of the Whiteman office in a partnership arrangement with the maestro.

Lavin and Whiteman parted about three years ago after an unbeaten connection of five years.

A. Le Leonard and her 'All American' Radio and Orchestra at the Cascaud House of the Hotel Ohio, Youngstown.

Rules Band Into 'Interstate' Class; Sorts of Complications Feared

Counsel for bandleaders and band booking offices last week expressed themselves as much disturbed by the application of the court's decision in the Sammy Kaye case which held that orchestra leaders are engaged in interstate commerce. The ruling was handed down by Justice Samuel Rosenman, of the N. Y. Supreme Court, after the case had been brought by Norman E. Reck, former secretary and general assistant to Kaye. Letters lawyer, Lee E. Taylor, declared Friday (7) that he was appealing the case. It was suggested that some other leaders and large booking offices might contribute to the cost of the appeal.

In his decision Justice Rosenman found that Kaye was engaged in interstate commerce in loading and unloading and could recover damages under Section 109 of the Fair Labor Standards Act. The court's decision was the center of the plaintiffs (Kaye) occupation, wrote the court, is held by his activities in interstate commerce in radio broadcasts in interstate hook-ups which are clearly in interstate commerce in loading and unloading equipment of the band on tour.

Sammy Kaye Wins in NBC Tiff, Refuses to Drop Singing Titles Developed Over Six-Year Period

Celoron Park's Policy

Jamestown, N. Y., June 10. Dancery at Celoron Park outside Jamestown, which draws heavy Western New York shuffle traffic, will change house bands in two-week cycles this season. Maury Bennett last year's bachelorette, started in Memorial Eve, followed by Lyle Carlyle.

Will also run 'name' outfits in one-nighters. Attendance (23), first of season.

Penny's Worth Of Music New Jukebox Idea

'Phonette' record machines, which dispense music to buyers via individual speakers at a penny a side and a coin, are making their debut in New York last week. Machines have been installed in several drug stores and one independent spot so far and work is progressing on a contract that will place the machines in total 228 Whelan branches.

Systems use individual boxes set on soda counters, each box containing a small speaker which broadcasts the music being played so that it's audible within only a half dozen feet. That confines the output to the person who inserted a coin, and perhaps a few others. There is no selection on the boxes, a central turntable with a capacity of 16 titles permits the records in succession as coins are dropped.

There is no possibility of anyone being able to stall that machine in a similar idea developed last year. On the Phonettes if a penny is dropped into a box while another is operating the patron can't on the record being played an then get out of the machine until the record is finished.

Machines have been in use on the Coast for several months. One in New York are the first in the east.

Sammy Kaye and NBC engaged last week in a controversy over his right to continue to sing the titles of his broadcast numbers and the band leader came out the victor. In the background Kaye has notified the network that his air routine would have to remain as is or NBC could pull its wire out of the Essex House, N. Y., Kaye's current stand. NBC withdrew its objections.

Statement by NBC says Kaye resulted from the demand of Chuck Foster, bandman located at the Blumrose Bowl, Los Angeles, that he likewise be notified by Kaye of his own NBC remote programs. NBC decided to act before this thing spread too far, so as to make sure Kaye would have to have his numbers identified before they went on air and by the time they got to the middle of the number.

Kaye retorted that he would do no such thing. The bandman pointed out that he had spent six years developing this particular style and he had no reason for abandoning it. At NBC's program department Saturday (7), it was stated that Kaye had refused to make an agreement merely because it wanted to be able to maintain a closer check on the band's repertoire. Kaye announced his number at the opening of each number the operators at the radio station would check to see whether the tune had been cleared for broadcast.

Glen Miller Terms Took Two Years of Negotiation With Modernist Ballroom

Milwaukee, June 10. After negotiating for nearly two years in an effort to reach mutually agreeable terms, Glenn Miller and band are to play the Modernist Ballroom in Wisconsin's State Fair park on Sunday night, June 22, with the band practically filling the place for the occasion. Cooperation in the deal was arranged by C. S. Rose, manager of the suburban Danbury.

Miller says the admission fees to be charged and refuses to do the broadcast usually heard from the radio. He says the band's playing of his music being confined strictly to his regular weekly concert at the ballroom. Miller's music may be used without the visiting bandman's approval, although in this case Steve Swedish and his orchestra, the house band for the last five seasons, was O.K'd without argument.

Don Azpiazu of Cuba In N.Y. Readyband Band

Don Azpiazu, widely known Cuban bandleader, is to play the 'Peanut Vendor' and Latin rhythms to the U. S. at the Palace theatre, N. Y., in 1941. He is releasing a new band. Outfit went into practice sessions Monday (9) in New York. It's a 10-piece orchestra, including three sax, two violins, three brass and eight rhythm and is designed to play the new style, including waltz styles as well as congas, rumbas, etc.

Miller said that job in this country was at the Rainbow Room, N. Y., about three years ago, where he had a number of releases with the Glen Gray outfit. Since then the leader has been bantoning at Seville's and has been heard on NBC broadcasts from CMO of that city.

Bands Theatre Biz Spolys: Brown 30G Fair, N.Y.; T Tucker Lags In Philly, 171/2C; Crosby Off, Pitt, 13C

(Estimates for This Week) The Brown, New York... With Ben Wain and Dixie Dubay on stage...

Bob Crosby, Pittsburgh—(Stanley; \$600; 25-40-60). With 'Uncertain Feeling' (IA). By way of off and worst here in several visits of Crosby outfit...

Vaughn Moore, New York—(Farmington; 3,664; 35-55-89-99). With Hal Sherman, others, on stage...

Harry Owens, Los Angeles—(Parade; 3,956; 30-45-7-10). 'Night in Lisbon' (F). Heading for \$10,000...

Tommy Tucker, Philadelphia—(Earing; 2,350; 35-46-57-58-75). With 'Reach for Sun' (S). Singing as part of Simon Simon. Not up to par at \$17,500...

B'way Musicals Continued from page 11 by John Cecil Holm, source by new writers Hugh Martin and Ralph Blane. It is due to start rehearsals next month...

Byron Henderson and Lew Brown send a brace of musicals. One is 'Good Will Certie'...

Richard Rodgers and Larry Hart are working on a musical, one of which will be produced by Dwight Deere Wiman.

The road will have better musical stars during the past season. It is due to be 'Fins and You Hats' (Al Jolson), 'Boys and Girls Together' (Ed Wynn)...

Band Bookings

Bob Brissette, June 11, private party, New York... Harry Hill, Mass.; 12, Holy Cross alumni dance, Holy Cross College...

Bel Courtesy, July 8, 2 weeks, Clearidge hotel, Memphis 20, Starved Rock Park, LaSalle, Ill.; 23, 2 weeks, Riviera, Lake Geneva, Va.

Elia Fitzgerald, June 15, Fair Park, Dallas; 16, Crusader's Hall, Port Arthur, Texas; 17, Hershley Street, La.; 18, Cooper Club, Henderson, Tex.; 19, City Aud, Houston...

Walter Herman, June 18, six days, Gray Gordon, June 18 for six days, Tony Pole B., Auburndale, Mass.

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Hoagland Cracks \$6,075, Basie, \$3,214, One Weekeners; Morgan, Miller So So

Coast Base (Kimball's Starlight B., Lynnfield, Mass. June 6). With temperature at 43 Basie's pull of 1,911 at 75c for about \$894...

Erskine Hawkins (Lincoln Colonades, Washington, June 6). Very poor, drawing only 700 at 50c for approximately \$385...

Gene Krupa (Roton Point Park, Conn., June 8). First date out of N.Y.'s Pennsylvania hotel, band drew about \$1,000...

Morgan (Thornhill, Conn., June 6). First date out of N.Y.'s Pennsylvania hotel, band drew about \$1,000...

Pinky Tomlin-Ralph Barlow (Peony Park, Omaha, Neb., June 4). Above expected 1,500 people resulted from coupling for about \$950 at 40c...

Buckeye Lake, O.; 20-26, Eastwood Gardens, Detroit. Earl Hines, June 24, Inn, Karmak, Ark.; 27, Aristocrat Club, Little Rock...

Sammy Kaye, July 3, Riverside Park, Springfield, Mass.; 15, Sted Pier, Atlantic City; 6, Pleasure Beach Park, Bridgeport, Conn.; 9, Hershley Street, La.; 11, West Park, Carrolltown, Pa.; 11, week, Stanley theatre, Pittsburgh...

Red Nevo, June 26, week, Jefferson Beach, Detroit; 27, week, Coney Island, Cincinnati.

Tony Pastor, Albany theatre, Albany, Ga.; 16, Carolina theatre, Raleigh, N. C.; 17, Carolina theatre, Spartanburg, N. C.; 18, Aud, Asheville, N. C.; 19, Aud, Knoxville, Tenn.

Raymond Scott, June 13, Crestone B., Detroit; 14, Lakeside Park, Dayton, O.; 15, Meyers Lake Park, Dayton, O.; 16, Royal, Toronto; 17, Summer Gardens, Kitchener, Ont.; 18, 19, Casino, St. Catharines, Ont.; 20, Burlington Beach, Hamilton Beach, Hamilton, Ont.

Raymond Scott 'I Touches Star'—'Do You Care' (Columbia 86161) Scott's blend of sax and muted trumpet on both sides is unpleasant to the ear and the remainder of the arrangements are ordinary...

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Bands at N.Y. Hotel B.O.

(Presented hereafter, as a weekly tabulation, is the estimated cover of the bands being done by name bands in various New York hotels. Dinner business (7-10 P.M.) not rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates weekend and holiday price.)

Table with columns: Band, Weeks Played, Cover Total, On Duty. Includes entries for Billmore, Waldorf, Lexington, Pennsylvania, Dorsey, etc.

*Asterisk indicates a supporting floor show, although the band is the major draw. 3 days.

Coin-Catching Record Possibilities

Harry James 'Trumpet Rhapsody' (Two Sides) (Columbia 86160) An original collaboration on by James, 'Rhapsody' is outstanding as written and played. Much more melodic than the usual original tune...

Artie Shaw 'What Is There To Say'—'Friends C Major' (Victor 27432) More click sides than the list of standards Shaw is making. 'Say' shapes up strongly as a rhythmic cutting with click arrangement and tasty solo by the leader...

Gene Krupa 'Let Me Off Uplown'—'Flamingo' (Okeh 6231) 'Uplown' side of the BE OUP has made lively and it should sell. A pop piece played with rhythmic punch, the side benefits from a good Anita O'Day vocal...

Alvin Roy 'I'll Be True'—'Saturday Nite' (Bluebird 11178) Roy's 'Nighty Night' set the stage for 'True.' It's done same way and is a nicely capable tune. Yvonne King's likable solo style fits neatly into the idea of the melody...

Raymond Scott 'I Touches Star'—'Do You Care' (Columbia 86161) Scott's blend of sax and muted trumpet on both sides is unpleasant to the ear and the remainder of the arrangements are ordinary...

Sammy Kaye 'Anora'—'What Wad Is Sweeter' (Victor 27433) One of unpleas sides on the first tune, Kaye's cutting is very satisfying at brisk tempo and under a simple arrangement...

McFarland Twins 'For Whom Bell Tolls'—'Army of Friends' (Okeh 6215) McFarland's improving band had a desirable job on 'Bell' side. Tasteful arrangement and vocals by Jimmy Foster and Twin Chalk make it a good recording...

John Kirby 'I Love You Truly'—'Castling Campus Capers' (Och 36166) Kirby's good band, really capable of becoming a melodic name Okeh side. Neither is coin machine material, but clever vocal seems first, standard, hits bell under a good arrangement and lively tempo...

Sam Donahue 'Leadin' on Lasy Day'—'Saxophone Sam' (Bluebird 11169) On one his first Bluebird sides few weeks ago Donahue presented an interesting, if not a really original, but catchy waltz which he called that hit home...

Ray Noble 'Wild Irish Rose'—'Little Bit of Blarney' (Och 36162) Irish melodies are always welcome to machines and Noble does both these standards up in good arrangement packages...

Charlie Barnet 'Consider Yourself Kissed'—'John Ordinary' (B-1166) Barnet's good band, really capable of becoming a melodic name. But the material he records will never help him toward that level...

Inokube 'Still Without Sweetheart'—'So Sorry' (Decca 3386) First tune ought to be a seller for 'Spots.' It's a likeable melody nearly first up by the quartet's tenor with a rhythmic instead of usual talk ballad melody...

Inside Staff—Orchestras

NBC apparently is figuring on cooking up a remote band sustainer to back the script show that CBS airs each Saturday afternoon from Frank Dalley's Meadowbrook, N. Y.

Net has figured on allotting a full hour of broadcast time to Barron on Thursday or Sunday afternoon. It would not use radio orchestra on various parts as does the CBS show.

CBS' show, titled 'Matinee at Meadowbrook,' uses m.c. Jackson Wheeler and June Allison in prominent parts.

Leopold 'Stoll the Hokey' Stokowski, symphony music's glamor boy, is considered the best of the lot.

This bit of little-known family gossip was revealed in an interview with Philadelphia's daughter, Sonja Stokowski, who made her stage debut in Philadelphia last (6) playing the ingenue role in 'George Washington Slept Here' at the Bucks County Playhouse in New Hope, Pa.

Petrillo Calls Arnold a 'Menace'; Action Sought on Theatre Employment

Seattle, June 10. The opening session of the 46th Annual Convention of the American Federation of Musicians put its okay on the holding by President James C. Petrillo of office in the Chicago city as well as the Seattle labor council through the passage of a motion providing that the present could also hold office in a local union if action was taken after Petrillo asked to have the matter settled.

There were addresses of welcome from Mayor Walter L. Taylor, Mayor Dance Band Leader Victor Myers, State Federation of Labor Presidents, and Taylor, Mayor of Seattle, Labor Council President Claude O'Reilly, Honorary President Joseph Weber who was vice president of Seattle Local 78 in 1932 called on A.F.M. members to be ready to make sacrifices to safeguard freedom and freedom at present. Said he: 'Individual interests must take second place to the general welfare because the war is not between nations but between ideologies and ideologies are the real enemies of Britain and democracy.'

Thurman Arnold, assistant U. S. attorney general in charge of anti-trust action is a member of the union intentionally and deliberately against the A.F.M. declared Petrillo in a free speech to the delegates.

He said that Arnold used 'unethical tactics' having to do with the use of broadcasters at one time that if they signed an agreement with the A.F.M. they would be indicted, and also that jurisdictional disputes had nothing to do with hours, wages or working conditions, but were merely cost-cutting over which labor leaders would win the members.

'I'm what Arnold has called me,' said Petrillo, 'throw me out in the alley, because that's where I'll belong.'

Petrillo also stated that Arnold had been investigating him in New York and Chicago, and that if they men had found nothing wrong in the months they were on the job that Arnold would announce.

Resolution No. 1. In order that new locals being formed know where other locals nearby were chartered—they are not allowed to intrude on the jurisdiction of local previously chartered.

Resolution No. 2. Because gasoline and auto maintenance in Canada is about double that in the U. S., Local 190 has introduced a resolution asking that transportation charges via private plane in Canada be fixed at twice the amount in the U. S.

Resolution No. 3. D. Swales, of Local 190, asks that a traveling rep. to cover Western

The too, too, Buffalo, June 10. The 'dean' Leo Niamerger, with the usual 'regular guy' maestro. The mike-hugging maestro. The peacock dance for the opening theme-song. The somnambulant ivory-pusher.

The gung-hung live-beater. The 'personality' drummer with his 'banged' cymbals. The opening day house-counting batonator.

The maestro with the 'tell your friends to come on down' curtain speech.

The society (safe) chanteuse, with the droopy kerchief.

The 'tricky' titled 'quarter' of 3, 4, or 6 members.

The 'spontaneous comedy' by the ensemble. The here-I-am-girls tenor.

The here-I-am-guy soprano. The audience-participation stunts. The phony ballroom dances.

The balky mikes. The ASCAP vs. BMI gags. The 'P vs. BMI' gags.

Resolution No. 4. Inasmuch as funds collected by locals for various purposes are in the hands of Frank E. Lederer, Local 198, asks that forged and indemnity insurance bonds on money be placed and paid for by the locals, this to become one of the duties of the financial secretary.

Resolution No. 5. To prevent AFM members from being held out of high schools because the latter are on the IATSE union list, Frank E. Lederer, Local 809, has introduced a resolution asking that the International designate lists only of high school teachers in labor and not the whole building as on the Unfair List. I. A. batties generally are wage-slaves in auditoriums, but have nothing to do with gymnasiums and dance halls where AFM members are usually employed.

Resolution No. 6. Because employees and some AFM members don't understand why Trans-Union is remaining in the Local for six months and then joining that local are required to collect the 10% surcharge for another six months, L. D. Noble, of Local 282, asks that the ruling be changed to require a transfer member to be in a Local's jurisdiction and collect the surtax for one year before being eligible for that local.

Resolution No. 7. Avoidance of the difficulty caused by locals electing to office school and college students who go home to their parents' homes, E. E. Pickett and Sandy A. Dalziel, of Local 78, by limiting Local officers to bona fide residents of the territory.

Resolution No. 8. To stop traveling bands from making on radio stations not in the good grades of the AFM, Claude E. Pickett and Sandy Latta, of Local 78, ask that touring units be forced to obtain permission of the Local secretary before appearing on the radio. Penalty, \$25 for each offense.

Resolution No. 9. Claude E. Pickett, Sandy A. Dalziel and Alonzo Leach, of Local 78, ask that the AFM be recognized in the world via music and have introduced a resolution for formation of a world-wide orchestra and chorus which shall soften human hearts.

Resolution No. 10. To prohibit competition to legitimate musicians from high school bands, E. E. Pickett and Sandy A. Dalziel, asks that the AFM prepare model legislation to be sponsored by the union in their respective jurisdictions to curb the amateur players performing in commercial public engagements.

Resolution No. 11. E. E. Pickett and Sandy A. Dalziel want to force the employment of AFM members to produce any music in theatres outside of that on sound tracks synchronized with the picture. They want to outlaw playing of records or non-synchronized sound tracks from theatres and in theatres. Any house which doesn't employ AFM members to provide such music Pettinell wants placed on the exhib-

Unless Madison Square Garden Gives Monie Proser Readjusted Terms, He May Fold Dance Carnival

Unless Monie Proser gets a sharp readjustment of terms from Madison Square Garden, N. Y., bringing his overhead down proportionately, he may have to fold his Dance Carnival.

At \$1,000 per day for maintenance, plus 15% of the over-all gross, the Garden is nicking the monster dance venture for nearly 50% of the take weekly, which precludes any possibility of the venture showing carnal ink.

First week the Dance Carnival grossed around \$30,000, out of which the Garden got a total of \$11,500; the bands (Benny Goodman, \$6,000; Charlie Barnet, \$2,250; Larry Clinton, \$3,250), drew a total of \$15,500; the Garden was left with \$14,500.

Second week the Garden took \$10,000 out of a total of \$15,000, leaving the venture's loss over \$15,000.

This week, the second, the Garden over the three-day weekend was running around \$2,500 behind the first. Only difference is the net, however, is the reduction of advertising expenses to around \$2,500 from the pre-opening and first-week splurge in display space.

Proser is scheduled to go before the Garden's board of directors today (Wed.) or tomorrow and ask for new terms. His claim is that the Garden originally sent for him and that it's up to the Garden to make readjustments that will give the venture a chance. According to Proser and Milton Pickman, his g.m., the Dance Carnival has 20 weeks of six-day stands in arenas and auditoriums tentatively booked, starting in the fall, but these would have to go by the wayside if the Garden venture has to fold.

Plus the reduction in rent and maintenance costs, Proser is also mulling the idea of cutting down on an undesirable point as he had to refuse similar requests in the past. The South Dakota soloists Petrillo and William Greig who is attending the A.F.M. convention, urging that he rescind his order. Petrillo was adamant in stating that if he granted an exception to the school band he would be placing the union in an undesirable position as he had to refuse similar requests in the past.

Petrillo's showbands advertised a showdown between the union and garden on the question of airing their act on patrician radio.

'I defy the Musicians Union to call a strike at the studio on this question,' Dr. Levy said at the time. 'I'm sure that the public would have been on our side in this question.'

'I lockout' list and subject to boycott, wants IATSE assistance in such an event.

Resolution No. 12. Standard initiation fees should be set following classification of each local according to population. E. G. Turner, Local 809, states in a resolution he introduced.

Resolution No. 13. Would compel film producers owning theatres to employ musicians in those theatres. Introduced by Bert Lapetina, a film producer in Local 43. Should the producers fail to cooperate, they want it reported to the AFM via the Interstate through the office of the Federal Attorney General to break the straightjacket they have on the exhib-

LABS WORK ON ALUMINUM SUBS

Research labs of RCA Manufacturing Co. and the Presto/Recording Corp. have developed new formulas for the manufacture of recording blanks for various purposes, which, it is figured, will release a flock of aluminum for government defense needs. RCA's contribution is a paper-core platter which it claims has all the qualities for reproduction to be found in the aluminum base discs. Preston's idea is a blank using plate glass as a base. Claims performance superior to accepted aluminum formula.

wagon Ball for Mrs. Howard Dietz's combined war charities cost Proser \$1,500 out of pocket, and a 'Home Legion' leap this past Sunday (8) meant a 10% cut to the audience, likewise a charity. Operators of ballrooms such as the Roosevelt and Arcadia in the Times Square, New York, area, claim that the business done by Monie Proser's Dance Carnival is likewise a charity.

Advertisement for DECCA records featuring a list of records: INTERMEZZO DECCA #3474, MY SISTER AND I DECCA #3710, AMAPOLA DECCA #3829, DOLORES DECCA #3844, IN APPLE BLOSSOM TIME DECCA #3822, I UNDERSTAND DECCA #3855, AURORA DECCA #3732.

Advertisement for DECCA records with the slogan 'THE OPERATOR'S CHOICE' and a list of records: INTERMEZZO DECCA #3474, MY SISTER AND I DECCA #3710, AMAPOLA DECCA #3829, DOLORES DECCA #3844, IN APPLE BLOSSOM TIME DECCA #3822, I UNDERSTAND DECCA #3855, AURORA DECCA #3732.

15 Best Sheet Music Sellers

(Week ending June 7, 1941)

Intermezzo	Schubert
Things I Love	Campbell
Hut-Sut Song	Schumann
My Sister and I	EMI
Marie Elena	Southern
Ti Be with You in Apple Blossom Time	Broadway
South of North Carolina	Porgie
Number 10 Lullaby Lane	Watson
Had Played On	P.D.
Amopla	Marks
"Dolores" ("Las Vegas Nights")	Paramount
Do I Worry?	Melody Lane
You and I	Wilson
You Are My Sunshine	Berlin
San Antonio Rose	Berlin

*Musical.

On the Upbeat

Ina Ray Boston band has been signed to Okeh label for a straight year.

Larry Nell from Shep Fields, is new vocalist with Joe Reichman's outfit.

Floyd Sullman, ex-Act Jazzett drummer, replaced Joes Mendelson with Johnny Long.

Eddy Duchin band hops from Miami June 15 for its date at the Copacabana-Casino, Rio de Janeiro.

Clyde Knight switched from West View to Kenwood Park, Pittsburgh on Monday (9), replacing Jimmy Joy, with Jimmy Gamble succeeding Knight at former spot.

Nelson Maple's band opens June 28 at new Pittsburgh spot, The Colonial, going there from Half Moon Club in Stuebenville, O.

Stan Becker foursome back into Henry's Silver Grill, Pittsburgh, Billy Merlie out moving out for summer run at Webster Hall's outdoor garden.

Johnny Kaasbe and his Royal Hawaiian, to Hotel Roosevelt's Lounge Cafe, Pittsburgh, for indefinite stay, replacing Don Bar band.

Gay Embarde band booked into Stanley theatre, Pittsburgh, week beginning Friday (13) for its annual visit.

Little Joe Hart orch into Merry-Go-Round, Pittsburgh, for limited stay on heels of Bubbles Becker.

Betty Jean, formerly vocalist with "Red" Dickens' orchestra at Toledo, has joined Elmer Schultz combo at the Oasis, Toledo.

Ed White, who has been playing at the Willard Grill, Toledo, to Blackstone Hotel, Chicago.

Gene Percival's 10-piece orchestra will be the house band at Luna Pier, Mich., during the summer season, between Monroe, Mich. and Toledo, O., during the summer season.

Dick Rogers orchestra opened for a new stay at the Centennial Terrace, Sylvania, O., when the season opened.

Bud Hanaway into Hotel Willard, Toledo.

Jerry Wald at Yankee Lake, near Brookfield, O.

Mugsy Spanier opened the season at the Mansion, near Youngstown, O.

Mike Shelby's Playmates, ex-Mal Hallett's, opened at Mt. Peconic, Gr. Mt. Pocono, Pa., with new vocalist, Jerry Murphy.

Henry Keresch's orch, with Vincent Burke, new attraction at Club Fernwood, Bushkill, Pa.

Patricia Donnelly, "Miss America of 1939", now is singing with Lowery Clark's orchestra at Westwood Gardens, Detroit.

William Shine, formerly of Tommy Dorsey's orchestra, assigned to the 105th Infantry Band at Fort McClellan, Ala. Joseph Rubel, composer and pianist of New York City, is another.

Carl Lerch band replaced Gray Gordon at Log Cabin, Armonk, N. Y., Monday (9), stays four days, is replaced Friday (13) by Mal Hallett's

who in turn gives way to Les Brown when Howard drops through the summer.

Harry Brown band out 'Aurora' two ways for Decca, making an English and Spanish version.

Del Courtney, currently at Stevens Hotel, Chicago, until July 4, has been booked to return there in October.

Milt Bachin replaced Bob Kibbin on piano with Gene Krupa. Later was replaced at Pennsylvania hotel, New York, Monday (9) by Bobby Byrne.

Mike Beatty juked plans for full-size band to open at Sea Girt Inn, Sea Girt, N. J., for month last week. Though his contract calls for big outfit he's using the eight piece and singer he has been working with for months.

Bobby Newman opens at the Casino, Magnolia, Mass., on June 14 for the summer.

Tommy Reynolds is now using six brass since he added Albert Jenkins on trombone. He made two replacements: Bill Flacey on lead trumpet for Julio Tancredi, and Harry De Vito on trombone for Jack Keller.

New Perry has made three changes in his band: Bob Shea is in place and arranged in place of Andy Waters, who joined Jerry Wald; Vido Morgan on third sax for Fran Miles, to worthy Miles; Ray Morgan on bass for Tom Scully; and he has added a quartet to the band, called the Newtons, consisting of Shert Lang, Dave Ryne, Johnny Bond and Newk.

Jimmy Horvath, also sax from Benny Goodman's band, joined Woody Herman, replacing Ed Scizil who went to Bob Chester.

Bill Eichler left his alto sax post with the KDKA start band for Eveready, and taking chair of Doug Ruypan, who returned to Los Angeles due to illness of his mother.

Tommy Geary orch current in Alhambra outside Buffalo, following Paul France.

Jimmy Hart band into River Boat room at Cataract House, Niagara Falls, N. Y., for hot months.

Jack Berney, combo, new Buffalo unit, opening Foli's lake shore dancery near Buffalo.

WREN, Buffalo, house band, under Bob Armstrong, goes next month into Beaver Island State Park Casino, Grand Island, George Sedola, from American band, added at second trombone.

'Who's Kissing Her Now' Renewal Litigation Up

E. B. Marks Music Corp. filed suit Wednesday (4) in the N. Y. federal court against Jerry Vogel Music Co. and Cora L. Harris, widow of Charles K. Harris, music publisher, charging infringement of copyright. Song involved is "I Wonder Who's Kissing Her Now," with plaintiff claiming renewal rights.

Song was written in February, 1936, by Joseph E. Howard, with lyrics by Joseph E. Howard and Charles Harris publishing. In June, 1935, Howard, author of the music, assigned the song to the plaintiff, and in 1938 assigned the renewal rights to Marks also.

Howard and Harris are accused of having published the song illegally since 1935. An injunction, accounting of profits, and damages are asked.

Heifetz

Continued from page 3

his dictum that all solo instrumentalists join the AFM. Several weeks ago, when Arthur Judson was arranging the Stadium and Bowl dates, Heifetz refused to obey the Petrillo order, and it was waived for those two bookings.

Violinist has said repeatedly that he would never join the AFM under any circumstances. Meanwhile the suit of Heifetz, the American Guild of Musical Artists and some of its members against Petrillo and the AFM was argued Thursday (5) in the Court of Appeals at Albany. Briefs had previously been submitted by opposing attorneys. Decision is expected in about three weeks. Other AGMA members party to the suit include Lawrence Tibbett, AGMA president, and Deems Taylor. Emanuel Feuermann, Kismet's Flagg, Gladys Swarthout, Richard Crooks, Richard Bonelli, Frank Chapman, Zlatko Balkovic and Armand Tokaty.

Action is for an injunction to restrain Petrillo from barring from radio, films, records and the concert platform artists who refuse to join the AFM and resign from the AGMA. Samuel Seabury argued the case for Petrillo and Louis B. Roudine and Henry Jaffe for AGMA.

Ray Werbeck succeeded Marvin Dale at Idora Park, Youngstown, O.

Mutual Network Plugs

The following tabulation of network popular music performances is confined to "WOR, New York release for Mutual Broadcasting System. The compilation herewith covers the week beginning June 2 (Monday) and ending June 8 (Sunday), from 8 a. m. to 8 p. m., and is based on data received from the Mutual Broadcasting System's Accurate Reporting Service, which maintains its own listening posts.

TITLE	PUBLISHER TO TA
You're Dangerous—"Road to Zanibar"	Santly
I Found a Million Dollar Baby—"Million Dollar Baby"	Remick
I Understand	Feist
Title of Two Cities	Harna
Memory of a Rose	Shaplo
Dolores—"Las Vegas Nights"	Paramount
Intermezzo	Schubert
Love Me a Little Little	Mayfair
Chapel in the Valley	Wilmark
Harbor of Dreams	Miller
Hut-Sut Song	Harna
Sing a Love Song	Musicians
Beau Night in Hotchicks Corners	Berlin
Corn Silk	BVC
Marie Elena	Southern
South of North Carolina	Portig
Begin the Beguine	Harna
Ti Be with You in Apple Blossom Time	Broadway
Kiss the Boys Goodbye—"Kiss the Boys Goodbye"	Famous
Oh! Look at Me Now!	Embassy
You Stepped Out of a Dream—"Ziegfeld Girl"	Feist

*Musical excerpt.

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by the major coin-machine distributors from coast to coast, in order of popularity, whose recordings are being played. Figures and names in parenthesis indicate the number of weeks each song has been in the hitings and respective publisher.)

1 Intermezzo	Woody Herman, Benny Goodman	Decca	(5) Schubert
2 My Sister and I	Jimmy Dorsey, Benny Goodman	Decca	(3) EMI
3 Daddy	Sammy Kaye	Victor	(1) Republic
4 Nighty Night	Alvino Rey, Dick Jurgens	Bluebird	(1) Beacon Okeh
5 Amopla	Jimmy Dorsey	Decca	(13) Marks
6 Dolores	Bing Crosby, Tommy Dorsey	Decca	(10) Paramount
7 Apple Blossom Time	Andrews Sisters	Decca	(5) Broadway
8 I Understand	Jimmy Dorsey, King Sisters	Decca	(11) Feist
9 Music Makers	Harry James, Andrews Sisters	Columbia	(7) Paramount
10 Aurora	Jimmy Dorsey, Andrews Sisters	Decca	(1) Robbins

DISKS GAINING FAVOR

(These recordings are directly below the frat 10 in popularity, but growing in demand on the coin machines.)

G'bye	Horse Heidt	Columbia
Hut-Sut Song	Vaughn Monroe	EMI
Green Eyes	Horse Heidt	Columbia
Marie Elena	King Sisters	Bluebird
Serenito	Jimmy Dorsey	Decca
Everything Happens to Me	Jimmy Dorsey	Decca
Until Tomorrow	Tony Paño	Bluebird
Let's Get Away from It All	Woody Herman	Decca
Do I Worry?	Tommy Dorsey	Victor
Yours	Al Donahue	Okeh
	Sammy Kaye	Victor
	Woody Herman	Decca
	Tommy Dorsey	Victor
	Inskops	Decca
	Tommy Dorsey	Victor
	Jimmy Dorsey	Decca
	Vaughn Monroe	Bluebird

Footnote to a Summons

Songwriter, whose hit tune has been under a litigious charge of infringement for one year but received service of a summons and complaint only recently, was flabbergasted when the deputy marshal delivering the papers told her that in his opinion there were no valid grounds for the summons.

The marshal said that it was his duty to serve her but that he had taken the time to examine the evidence in the case since there were copies of both the plaintiff's and the defendant's affidavits to the legal papers. The marshal explained that he was something of a musician and amateur songwriter himself and that he had taken the two manuscripts and read them and his piano and his conclusion was that they were nothing alike and the basis of the suit was the silliest thing he had encountered in a long time.

Canadian Share to ASCAP \$107,612; BMI in for \$13,451 in Fees

Canadian Performing Rights Society which received in 1941 the same amount of royalties from Canadian radio that it did in 1940, according to information received by ASCAP last week, set a sum for the CPRS of \$107,612, while Broadcast Music, Inc. was put down for \$13,451.

The CPRS is jointly operated by ASCAP and the British Performing Rights Society and the royalties collected from the BMI's bid from Canadian radio for this year are half of what ASCAP was collecting but the Canadian Copyrights Appeal Board ruled that BMI's portion for a greater share of royalties would have to be put off until next year.

Canadian Dealies
Montreal, June 10. Canadian Performing Rights Society has lost its appeal to the Canadian copyright appeal board, asking for payment by holders of 14 per licensed receiving set in Canada for use of CPRS music.

The board, which had previously asked a one-cent rate as many Canadian stations turned to BMI music in connection with the ASCAP fight in the U. S., since CPRS music is the mainstay of ASCAP, ruled to be broadcast on exchange programs to the United States.

His relation since CPRS eight cents and BMI one cent. The extra six cents asked by CPRS would have raised the Canadian Broadcasting Corporation alone an extra \$60,000 a year.

WISCONSIN EPISODE

Why Young and ASCAP Lawyer Hess Continue To Be
Milwaukee, June 10.

Why Young, president of the Wisconsin Tavern Keepers' association, was described at a court commission hearing here as head of an organization that was out to bust up the American Society of Composers, Authors and Publishers. Accusation was made by Robert A. Hess, Wisconsin ASCAP counsel, who was under examination incident to a lawsuit brought against Young for copyright infringement.

Ted R. Wright, the tavern man's legal rep, sought unsuccessfully to have Hess reveal the details of ASCAP's financial operations in Wisconsin and Court Commissioner Morley J. Ryan Duffy in Federal court, who will now determine just how much Hess can be required to tell about the society's money matters.

Associated Sues WEVD

The Associated Music Publishers, Inc. filed suit Wednesday (4) in the U. S. federal court against Debe Memorial Radio Fund, Inc. and Henry Greenfield, general manager, claiming unauthorized broadcasting of plaintiffs songs. Defendant operates WEVD, N. Y.

Involved song is "Petite Suite" especially written for the fund by Edward E. F. Arbos, and assigned to plaintiff in 1934. An injunction, accounting of profits and damages are asked. Date of the alleged unauthorized broadcast is not given.

ASCAP NOT IN LINE AS G & B OWNS

Lack of Central Control in Operation of Mutual Network Means Plugs Have a Habit of Being Wiped Off Schedule at Last Minute

TIME FOR REALISM

With three weeks gone by since Mutual signed its contract with the American Society of Composers, Authors and Publishers the majority of professional managers have come to the conclusion that the alliance has proved of limited value for the purpose of making new songs. The plan is largely a technical one. It has nothing to do, as the professional men, with the lack of cooperation on the part of Mutual's executives but rather with the nature of the Mutual's methods of band scheduling.

The average professional manager himself operates far and closely to a network's schedule. After studying a network's advance scheduling of programs he has his men make the bands listed and try to get the latter to spot his No. 1 or No. 2 plug song. The professional manager seeks to get such tunes spotted a week or two in advance, and one gets an okay from the pluggers considers this plug as almost a thing performed. He then gets an okay from the managers during the coming week and when that many aches have been raised from leaders the professional manager figures that his chore for that particular week has been done and he proceeds to make plans for two or more weeks hence.

Schedules Change
Where time was Mutual has been disappointing, say these professional men, it is that things rarely work out as planned. The professional publisher firm may have had a week's plug set with bands broadcast but when the week's count is taken it is lucky if it has garnered five of them.

Mutual's schedules, the professional managers also have been subjected to many last minute changes. A band may have been scheduled for a half-hour, but for one reason or another it gets but 10 minutes over the network. Being cooperative in structure, the network is inclined at the last minute to cede time for a pick-up from a distant point because the affiliate there also has been subject to and wants his station and town to get some cross-country mention. This pick-up through means the elimination of a plug slated with some band coming out of the New York or Chicago territory where pluggers are able to get to their plug sources with new material and their sales talk.

Another complaint of the ASCAP-affiliated professional men is that on Mutual there is a limited amount of dance music to be heard until after 11:15 p.m. because the schedule is grossing more than \$100,000 per year or less will pay a sustaining fee of \$1 a month, while stations grossing more than \$100,000 will pay a monthly sum equal to their highest hourly rate but not more than one and a half times their 1940 sustaining fee.

ASCAP in its recent discussions with NBC agreed that the reduction for the \$50,000-\$100,000 stations and because Mutual was the first to sign up the Society has immediately passed pay the proposed cut to that network's stations.

KRIGER SUES MACFADDEN

Says Mag Used Copyrighted Lyrics Without Permission

B. A. Kriger, composer, filed suit Wednesday (4) in the N. Y. federal court against Macfadden Publications Inc., charging the unauthorized use of a song called "It's a Small World," in a magazine, Radio and the use of the name of the plaintiff by the defendant took place in April 1940.

Macfadden's suit was written in 1935 by Roscoe Hillman, Bob Crosby, and himself. It was assigned to Famous Players for publication. An injunction, accounting of profits, and damages are asked against Macfadden Publications, which publishes the mag.

Mutualites Await ASCAP Contracts; Sustainers Down

Mutual affiliates are kidding about apparent dilatory organizational progress of the American Society of Composers, Authors and Publishers in connection with the preparation of printed contract forms covering local station usages. The contract between the Mutual Network and ASCAP became effective May 19 but the individual MBS stations have yet to see anything that looks like a printed agreement.

Meanwhile the MBS stations that were informed by the network that ASCAP has reduced the sustaining rate for local outlets, retroactive to May 19. Under the old arrangement stations had to pay between \$50,000 and \$150,000 a year were required to pay on the basis of a monthly sum equal to their highest hourly card rate but not more than one and a half times their 1940 sustaining fee. The new rates for these stations call for a monthly sum equal to their highest half-hour rate or no more than the 1940 rate. Stations doing \$50,000 a year or less will pay a sustaining fee of \$1 a month, while stations grossing more than \$100,000 will pay a monthly sum equal to their highest hourly rate but not more than one and a half times their 1940 sustaining fee.

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MAX HELFMAN BANKRUPT

Max Helfman musician, filed a voluntary petition of bankruptcy in N. Y. federal court Monday (9), listing \$1,280 in assets and \$2,315 in liabilities. Only so-called theatrical creditors are a number of music publishers.

During 1939 Helfman earned \$2,000 and in 1940 he earned \$2,968.

ASCAP Piqued at New NBC Move; Web Tells Society It Must 'Sell' Its Service to Affiliates Direct

Consummation of a licensing agreement between NBC and the American Society of Composers, Authors and Publishers has been put off by the network until ASCAP has worked out a proposition with the affiliated stations. A meeting on that subject is slated for today (Wednesday) in Washington between the executive committee of the Independent Radio Network Affiliates and John G. Paine, ASCAP general manager. The turn in events has caused much chagrin among ASCAP publishers and writers. They had been informed from within their own organization that a deal with NBC was on the verge of being closed and to them it now looks as though NBC has merely tossed the ball to the affiliates.

According to an NBC official there are but a few odds and ends for the network to clear up with ASCAP preliminary to calling the terms of a contract for network airing of ASCAP music acceptable, but that the actual closing of such an agreement would have to be predicated on what the affiliates wanted to do about an ASCAP contract covering local broadcasting. NBC, stated this official had never been authorized by its affiliates to do any negotiating for them and that it was up to ASCAP to do its own negotiating. In any event, he added, NBC doesn't intend to be caught in the middle of any situation between ASCAP and the affiliated stations.

New Role for ASCAP

The network has taken the position that it is up to ASCAP to sell its music to the affiliates, which puts ASCAP for the first time in its history in the role of going after business instead of having it come to it. In some ASCAP quarters the belief still prevails that it is the intent of the NBC-CBS and the affiliates to keep the negotiations dragging through June, July, August and possibly through September so that they can save themselves quite a sum of money during the quieter period of commercial broadcasting. Meantime network advertisers have abandoned the idea of using musical programs for numerous replacements and instead are turning to either dramatic or novelty shows. Paine made his first contact with

the affiliates last week when he called on Samuel Rosenberg, WFIL operator and president of the NYCA executive committee in the latter's Philadelphia home. After the two had gone over some figures that Paine had brought with him Rosenberg suggested the Washington meeting.

Gene Busk Optimistic
Fort Worth, June 10.

Negotiations between NBC and CBS officials and ASCAP will be successfully completed soon, Gene Busk, ASCAP president, predicted here Saturday (7) while watching the finish of the National Open Golf Tournament at Colonial Club. He said that a settlement satisfactory to both sides is near.

While here Busk took a rap at too much exploitation on the American theatre program. He said that under the guise of realism some of the showmen are putting stuff on the stage that, in many instances, has dropped the bars of common decency. "Old-fashioned" continued Busk. "You bet I'm old-fashioned. I expect to keep on being that way. Smokehouse humor and burlesque situations have no place on the stage, nor in published form either. When people register a little more old-fashioned indignation about it the country will be a lot better off. It's not messiness to use double meaning jokes. The theatre would be a lot better off without them."

ONE-YEAR LICENSES FOR FILM BOXES

Warner Bros. publishing group has adopted a policy of confining all licenses issued for tunes used in film jukeboxes to one year. Starting late for such time is the date that the clips are made available to the clip machines.

Warner looks on the jukebox subject as something that still in the experimental stage and it prefers to circumscribe the licensing until it is determined whether the fee now obtainable is either too low or too high.

SIX MORE APOLAS

FOR WHO

Another plaintiff of the ASCAP-affiliated professional men is that on Mutual there is a limited amount of dance music to be heard until after 11:15 p.m. because the schedule is grossing more than \$100,000 per year or less will pay a sustaining fee of \$1 a month, while stations grossing more than \$100,000 will pay a monthly sum equal to their highest hourly rate but not more than one and a half times their 1940 sustaining fee.

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**EDWARD B. MARKS
MUSIC CORPORATION**

ROCA BLDG. RADIO CITY NEW YORK
FRANK HENNIGS, Gen. Prof. Manager

ENGLISH PUBLISHING BIZ FALTERS ALONG HAMPERED BY GERMANS AND GRAFTERS

Hits Down to 6,000 Copies a Week—Meantime Comparative Unknowns Among Air Orchestras Malt Publishers for Fees—Jive Booms

London, May 25. Music biz is at its lowest ebb. Hits, which even since the war, were selling from 20,000 to 25,000 per week, are barely touching the 6,000 mark. Although the war has tilted most sheet music from 10c to double, it is making very little difference to the intake, although six months ago the 2c numbers were bringing in a hefty revenue.

There are two reasons for this decay. (1) One is the drifting of the 10c hits into various forces, and (2) is the big decline in the dance music public, who were regular listeners to the big bands on the 10 o'clock broadcasts, due to the majority of them being either in the army or in the air. There is a lull in blitting, going to buy, being early, to make up for loss of anticipated lull.

North of England listening public, from such spots as Liverpool, Manchester, Blackpool, Leeds, Newcastle, namely Birmingham, Coventry, Leicester, some of them towns that have been bombed to further decrease sales of sheet music.

Music publishers generally are having a very unhappy time, apart from the very low state of sales, as the old menace of grafting still remains rampant. New bands, with very few exceptions, are forever demanding anything from \$20 to \$25 per number they air, which is a dead loss to publishers, inasmuch as the fees received from the BBC and Broadcasting Corp. rarely more than 30% of the amount mailed by the grafting bands. Bands are insisting on the big bands on the 10 o'clock (and dance music is mostly radiated from this wave length), where each publisher with publishers' broadcasting fees from the BBC just over 25% of that amount.

Band Leaders in Clover
Band leaders, under the draft, are in clover, even comparative unknowns are strutting on air.

Publishers are eagerly awaiting the time when they can get the end of the end and dictate to the stick wielders that if they want songs, they will have to pay for them in cash or reward. But this Utopia looks a long way off.

Bands are, not only cuplants carrying callous conditions in the music trade. Name single singles are selling very much poorer than the usual track. Demand anything from \$20 to \$50 per number. There are many exceptions, of course, including such names as Bea Lillis, Evelyn Laye, Bebe Daniels and Ben Lyon, Vera Lynn, Turner Layton, Bernia Willmot, Hutch.

Music biz is in for a stormy peace, especially this year. The dependence on pop numbers by their bread and butter.

Odd thing about the music situation is that the records trade is very viable, although on closer scrutiny it is not surprising, as there is no kicking that hurts every time a record is being played.

Incidentally, there is a definite lull in the demand for sheet music, according to Glenn Miller, Artie Shaw, Tommy and Jimmy Dorsey, and very Herman papers.

Of the singers, Bing Crosby is still king, with the Ink Spots vaulting in favor.

Song Suit vs. Victor

The Sacred & Spiritual Music Co., Inc. filed suit Friday (6) in N. Y. federal court against RCA Music Co., Inc. and Bruno, N. Y., Inc., charging the recording company with distributing out with having made records of a song without permission.

The song, "What Would You Give in Exchange," was written by F. J. C. Brown and J. H. Brown and is recorded by the Trio Music Co. of Waco, Texas, which published it in a book entitled "Triumphal March" which was assigned to the plaintiff. An injunction, accounting and triple damages are asked.

Top BBC Song Plugs

- 'Little Boy Who Never Told a Lie' (FDH).
- 'I Didn't Know What Time It Was' (Chappell).
- 'His Foolish But His Fun' (Fiddman).
- 'Johnny Pedler' (FDH).
- 'Does She Love Me?' (Cinephone).
- 'Over My Street' (Cinephone).
- 'Room 505' (Chappell).
- 'Hawaiian War Chant' (KP).
- 'The Moon Won't Talk' (Cavendish).
- 'Rocky Boy' (Irwin Dash).
- 'Thanks, Mr. Roosevelt' (Fiddman).
- 'The First Lullaby' (Maurice).

Defer Nominating For New Members Of ASCAP Board

Board of directors of the American Society of Composers, Authors and Publishers voted at a meeting Monday (9) to defer for a week to the 16th of June the nominating committees in connection with the election of new board members. It was found that settling the public opinion writers on the board had met as a group to decide on candidates for the nominating committee or to inquire of such candidates whether they would accept. Both factions want to avoid naming anyone that is inclined to run for a place on the board.

It will take about 15 days for the ballots to be sent out after the nominating committees have been named, and that the actual election of the five writer and six publisher boardmen would take place until July.

Adolph Deutsch clearing the score for 'Manpower' at Warners.

End of ASCAP Nationally Seen By Nebraska's Attorney Gen'l

Lincoln, Neb., June 10. Official opinion in Nebraska so far as state itself is concerned, holds American Society of Composers, Authors and Publishers is no more. Attorney General Walker R. Johnson said definitely the end of ASCAP in Nebraska, but it is not clear about U. S. Supreme Court recent decision sustaining validity of ASCAP activities, and said:

"This, I think, is the end of ASCAP, not here and in Florida alone, but nationally. That Supreme Court decision definitely establishes that copyright holder has no more right to violate state statutes than any other state. It is difficult to see how far reaching this thing can be.

Asked if ruling meant publishers would have to print on each sheet of music price for performance rights for home, ballroom and radio, the attorney general expressed opinion prices would have to be printed. He said most ballroom and musicians here are speculating what the ruling means to them. "I see no reason why a maestro and why his should affect the bands at all, since we always have been getting our music from the publishers. If the ASCAP break-up in Nebraska should have no bearing on that. The publishers realize that it's the bands

Music Notes

George Stoll started final recording for the Max Baer brothers picture, 'The Bargain Basement' at Warners.

Bernie Gosman and Richard Hagenstein join the boys songs for 'I'm a Lewis,' at Universal.

Dmitri Tomlinok doing the score for 'Forced Landing' at Paramount.

David Seal writing the score for the new Tzartan picture at Metro.

Howard Jackson completed music for 'Bad Men of Missouri' at Warners.

Jack Scholl and M. K. Jerome wound up songwriting job for 'Minted in Germany' at Warners.

Bobby O'Brien and Ray Gilbert doing the music for the new Earl Carroll night show.

Johnny Mercer and Arthur Schwartz doing the music for 'Two Steps to Heaven,' at Warners.

Herbert Stohart turned in the musical score for 'Bosoms in the Dust' at Metro.

Morris Stoloff turned in the musical score for 'Sweetheart of the Campus' at Columbia.

David Snell finished his musical chores on 'The Big Store' at Metro.

Charles Isaacson, of Berlin Music, legally changed his name to Charles Saxon.

Milton Samuels installed as Chicago representative of Broadway Music.

Johnny Burke and Jimmy Van Heusen did the songs for David St. John's next Ray Kyser picture at RKO.

Everett Carter and Milton Rosen wrote four songs for 'The Masked Cavalier' at Universal.

Yessie Young doing the musical score for 'Mr. Bug Goes to Town' at Paramount.

Bremnas Kasper scoring the current 'Red Klidders' picture at Metro.

David Seal assigned to the musical score on 'Young Americans' at Metro.

NBC-CBS Plugs

Following compilation of plugs on NBC and Columbia's New York outlets (WEAF, WJZ and WABC) for the week beginning Saturday, May 31, and ending Friday, June 6, from opening to closing, was furnished either by Broadcast Music, Inc. This data was not collected by listening posts but from logs provided BMI by the networks.

Schubert	54
Schumann	42
BMI	42
Boyer	38
Campbell	38
Ellis	38
Maris	38
South of North Carolina	38
For Want of a Star	31
Two Hearts That Pass in the Night	31
Let's Get Away from It All	27
Ampopa	27
Let's Get Away from It All	27
G'bye Now	22
Number 10 Lullaby Lane	22
Until Tomorrow	22
Oh! Look at Me Now	22
Yours	20
Georgia My Mind	20
Time and Time Again	19
Lament to Love	18
With a Twist of the Wrist	18
Green Eyes	18
There'll Be Some Changes Made	18
Woe and Tears	17
Wide Old World	15

Inside Stuff—Music

Warner Bros. is still cogitating on the position that it will take on the renewal rights of the late Erna Ball's works and in the meanwhile Harry Fox, as agent and trustee, is holding in escrow synchronization fees that he has collected on Ball's tunes. When the renewal became due the company won't sign with the writer. Only other BMI song on the renewal rights of a number of the Ball songs which had originally been published by Witmark, a WB subid. Warner claims that Ball's contract with Witmark entitles the rights among the parties involved are 'Mother Macchree, 'My Mine,' 'Garden of My Heart,' 'Till the Sands of the Desert Grow Cold,' 'To the End of the World' and 'To Have and a Hold.'

Slighting on the trend of the music business outside the ASCAP camp is the drop taken by Broadcast Underwriters in the past few weeks. In the tabulations pertaining to the week ending May 31, BMI had but one number, 'My Sister and I,' among the first 10 plus tunes on NBC-CBS and the first to best sellers. Only other BMI song on the best seller list is 'Walkin' By the River' and that's bare 15th. In the same NBC-CBS compilation BMI is 12th with the latter tune and 14th with 'Walkin' By the River' and that's bare 15th. In the same NBC-CBS compilation BMI is 12th with the latter tune and 14th with 'Walkin' By the River' and that's bare 15th.

Morris Rusty Davis is scripter and producer of 'Musical Cavaleade' which will be broadcast over Canadian Broadcasting Corp. network across the Dominion June 24. Using melodies of 'Ziegfeld Follies,' it is intended to be a true representation of a music picture as depicted show at turn of the century. Harry Link, chief manager of Leo Feist, Inc., has gathered source material and songs of early Follies shows. Allan Melver is handling musical phantasy lyrics and effects being handled by Norman Bloom is co-operating with Davis who will be in charge of the whole production.

As consideration for letting Henry M. Spitzer out of his contract, in lieu of Join Buddy Morris' music firm, the latter is permitting Spitzer to do a prominent orchestra conductor has converted a public domain melody into a commercial popular tune. The composer of the melody of 'Things' is Howard Barlow, CBS staff conductor. Previous hit number was 'Things' by William Horowitz and Gene Gershwin. Barlow, pianist, and likewise from the public domain, was 'My Reverie' (1898).

Sheet music click of 'The Things I Love,' published by a couple of newcomers, Nicky Campbell and Solly Loft, represents another instance in which a prominent orchestra conductor has converted a public domain melody into a commercial popular tune. The composer of the melody of 'Things' is Howard Barlow, CBS staff conductor. Previous hit number was 'Things' by William Horowitz and Gene Gershwin. Barlow, pianist, and likewise from the public domain, was 'My Reverie' (1898).

New edition of George Gershwin's Song Book, containing 18 tunes, has been published by Simon & Schuster. Volume is unusual in that it reproduces the words and music of the composer's songs in their original form. The book follows with the special piano arrangement Gershwin made for the purpose of playing for his friends.

Unusual coincidence of three tunes built on the same lyrical theme is in the current plug books goes 'We'll Go with You to Me' and 'I Take You.' First was written by Arthur Kent and Sid Robin; second by Tom Greene and Fred Strzyker, and last by Meck Gordon and Harry Revell.

Gordon-Revell number is from 'The Great American Orchestra' and is a duet between Meck Gordon and Sid Robin is published by Regent and the Green-Strzyker effort by Southern.

Titles of best sellers are finding favor with BMI songsmiths. Ernest Hemingway's 'For Whom the Bell Tolls' is now a ditty written by Hugh Mackay and Charles Trotta; Jan Valtin's 'Out of the Night' has been made up by Henry Manners and Jimmy Shirl; and Dick Van der Helder's 'My Sister and I,' as cuffed by Jay Zaros, Joe Whitney and Alex Kramer, has reached hit proportions.

BUDDY MORRIS TO L. A.

Edwin H. (Buddy) Morris left for the Coast Monday (9) to confer with Johnny Mercer on a picture writing deal and also to look into the representation of Mercer & Morris.

He will return to New York next week.

'Nola' Still in Courts

'Nola' was examined before trial in N. Y. federal court last week in connection with a suit against him and Harry Fox, doing the recording company, filed by Nola Music Publishers, Inc. Suit claims infringement of the 'Nola' melody by Harry Baio. Baio is in the defendants' 'Nola.'

'Miami's' song was written by Baio and Harry Fox. It was published by Witmark, with plaintiff acquiring the copyright in 1899, the year of the alleged infringement.

Buy Webb's 'Song of the Parachute' has been adopted as the theme song of U. S. Army Parachute Corps.

NBC Artists Bureau MCA as Well as Morris Interested

Proposed sale of the NBC Artists Service, Inc., is still in the preliminary stage. Nobody has made an actual offer to buy the only thing that has happened to date is that those interested have been talking with figures who own the shares and a general picture of the bureau's operations.

The present data is currently being studied by J. C. Stein, of Music Corp. of America, who recently closed for Columbia Artists Bureau, and by William Morris, Jr., of William Morris Agency. Also by George Jessel, v. p. in charge of the NBC Artists Service, who has expressed some interest in taking over the concern on the bureau by NBC. The network is preparing to dispose of the affiliated corporation in various parts. The popular evening division, the Concert Booking end and the Civic Concert Service, are all part of the operation, could be bought separate.

No price has as yet been placed on the bureau by NBC. The network is preparing to dispose of the affiliated corporation in various parts. The popular evening division, the Concert Booking end and the Civic Concert Service, are all part of the operation, could be bought separate.

Stein has expressed an interest in taking over the division. From a view of so rounding out his activities that he would be in practically a very real interest in the NBC popular division of the NBC set would be merged by him with the other acquirers.

CBS, while for the first time he would enter the concert field, leaving NBC's management list and the Civic Concert Service. William Morris also has expressed an interest in the negotiations with NBC of expanding into the concert field.

Mayor Terms Marcus Squawk 'A Damned Lie'

Springfield, Mass., June 10. — It's simply a damned lie, and I have said so for a long time, Mayor W. Putnam asserted when a reporter was called to statements of A. Marcus, chief manager of the E. M. Loew general manager, that the Marcus show which played at the downtown theatre here was the victim of politics.

Mrs. Beatrice A. Marcus, wife of Marcus, was arrested May 14 on a charge of managing an indecent show, and later was acquitted. Her arrest, Marcus said, was a "damned lie" as he called it, as she was continued from day to day.

In a letter to Variety published June 8, Marcus also quoted Mayor Putnam as saying that the Marcus show was definitely made a scapegoat in a local political feud.

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Johnston, who staged the massive "American Jubilee" at the N. Y. World's Fair, said he was "not including weather and his ice plant, during the park's opening week. He will use \$25 and \$100 per night, give two or three 'previews' performances. He wound up the first week with \$25 and \$100 per night, giving the performers, musicians and stagehands around \$6,000, and an additional \$10,000 in an extra large production staff of his own. It's rumored that Johnson last week had lined up additional coin, but the prospective backers shied away when Johnson insisted on retaining control.

"Stars on Ice" has yet to have an official opening, with the ice top ready for first scheduled show for June 29, then last Wednesday night, and now this coming Friday (13).

It is expected that the new Park management, if it goes over, will not pay any coin except assume Johnson's own obligations of \$3,000. The Park is said to have already paid out of coin into the venture via alterations in the show and working out the show, that cost being estimated at ranging between \$120,000 and \$185,000.

ICE POLLIES, \$345,000 BIG IN 1ST S. F. WEEK

San Francisco, June 10. — Shiptad and Johnson's Ice Pollies of 1941 played to 32,662 people in the first seven days of the season at the Winterland, grossing estimated \$45,000. This is 30% ahead of last year's 100% ahead of two years ago for first week of date.

"Pollies" hopes to break a new record in playing at Winterland. They have passed the 1,500,000 mark since starting the current tour last September.

Sale Still Indefinite; Capitol, Frisco, Into An Auto Parking Lot

San Francisco, June 10. — The Capitol, long home of Frisco burlesque, is being converted into an auto parking lot. The site has been purchased for a parking lot and the house will be destroyed. The Capitol, an old-time old-lime show house to succumb to the demand for parking space, the Capitol, Columbia previously having been razed.

Manager Edna Skolak has three other houses under consideration and hopes to move his company into one of them without interruption. Skolak is the present burlesque operator here for 11 years.

UNIONS WIN OUT IN N. Y. HOTEL 'DISPUTE'

Dispute between the New Yorker Hotel, New York, and the International Alliance of Theatrical Stage Employees, backed by local 802 of the American Federation of Musicians, wound up as a victory for the unions. New Yorker's Terrace lounge, which was closing its doors last night (Tuesday) with Johnny Long's orchestra and the Copacabana Revue, with an IATSE man operating the room's spotlight.

Since April 11 the New Yorker has opened the Terrace Room for dinner only, because it refused to replace its lost hotel Trades Council spotlight operator, William Kimm. Local 802 backed IATSE by keeping name bands, used in conjunction with floor shows, out of the spot. It allowed the use of a small dinner music combo, however, because unable to induce a spotlight operator was required.

William Morris office, Music Corp. of America and the General American Corp. (Tommy Rockwell) all collaborated in the booking of the Terrace Revue and the use of Monte Proser's N. Y. niterly. Cops show is virtually the same as played by the Terrace Revue, but with Proser getting billing as he did at the Hub hotel.

Sony Werblin of MCA suggested the Terrace Revue to the New Yorker GAC books the New Yorker, so that those two offices in the position of splitting commission. The office, which had been booking the Cops unit outside of Proser's own agency, waived its commission, but has three important acts in the show, Victoria Cordova, Fernando Allende and a dancing troupe of 10 in the cast are the Samba Sisters (8), Rosita Rios, Estelle and Le Roy. Cops' total entertainment bill is around \$1750, which includes a fee to Proser.

LORRAINE-ROGNAN WIN SET BY PAR FOR 2 FILMS

Pittsburgh, June 10. — Lorraine and Rognan, comedy dancing duo, are back in the limelight here last week while playing week's end at the Regency Theatre. It's a two-picture-year deal with options. Team will report at studio this week, and then they'll strike Chicago theatre beginning Friday. They were represented by Mark Leddy.

Although Lorraine and Rognan had been signed by Schuberts for a month ago, they were not at Paramount N. Y., last winter, that pact was binding only in event that they had not been signed elsewhere. It's since been postponed until fall, but the couple here to negotiate with Par.

Multiple Ben Yost

Ben Yost is giving himself four-way opposition on Broadway this week, with singing groups in two cities, and a new production of Choral director has his Variety Eight at the Paramount, the Vikings at the Regency Theatre, the Melody Men at the Waldorf-Astoria

Fenton Farms Bows June 27 with Bergere

Rose Fenton Farms, North Astbury Park, to open its 35th season on June 27 with Maximilian Bergere's orchestra, plus name acts over the week-end.

Spot was originally opened by Charley Ross and Mabel Fenton, who, in 1907, was owned and managed by Al Thoma, Newark, N.J., restaurateur.

DISPUTE Between the New Yorker Hotel and the General American Corp.

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1st Coast Camp Show Highlighted By Tuneless Score; 'Wizard' Well Produced

Hollywood, June 10. — First show at the 1st Coast Camp, a long succession of them pitched in Hollywood Bowl for two performances, featured a lark by the Smarterly produced and effectively performed. "The Wizard of Oz" featured a lark by the Smarterly produced and effectively performed. "The Wizard of Oz" featured a lark by the Smarterly produced and effectively performed. "The Wizard of Oz" featured a lark by the Smarterly produced and effectively performed. "The Wizard of Oz" featured a lark by the Smarterly produced and effectively performed.

Eastern Army Revue, 'Tale No Yip', Appears Answer to Soldier Shows

Morgan Vice Gourrain As N.Y. Strand Stager

Leo Morgan, who has been on the road with various bands, handling their staging, lighting, etc., succeeds Harry Gourrain as stager of the pitband shows at the Strand, N. Y., which latter date in July. Morgan was with Gourrain at the Metropolitan, Boston.

Gourrain will leave after he has put on the Guy Lombardo show, opening June 20.

Det. Bowery Hit By Charge Of 'Booze Hustling'

Detroit, June 10. — Charles Kimm, a past niterly which became a national phenomenon with its lush floor shows, expanding 'seating capacity' and flourishing big, finally came a cropper with the law.

Charge that it was 'obviously a common practice' to serve drinks after hours, and to introduce customers to induce the patron to buy more drinks, were filed by Leon Kimm, a special investigator for the State Police.

Case was heard by Theron Watton, no less than an assistant Attorney General, who found the Bowery guilty on both counts and gave Frank Barbaro, the proprietor, a chance to explain to the court why he was given a 30-day suspension of license. That was easy for the well-heeled Barbaro to do. He explained that his only explanation was: 'It must have all happened while I was in my office.'

BOOK BEATRICE KAY Jamesstown, N. Y., June 10.

Beatrice Kay will go into revue at Colonor Park, outside Jamestown, N. Y., for a week.

Her fourth date in these parts in recent months, others being at Williamsville Glen, outside Buffalo.

N. Y. COPA STAFF SHIFTS TO SPA'S PIPING ROSE

Monte Proser calls it a season at Spa's Piping Rose. The show, which started this week and the entire staff shifts to Piping Rose, Saratoga, for the first time, is being managed by Julie Fodel, his partner in the Copa, will be associated in the Saratoga of the latter end of the season. Copacabana established some sort of a precedent by being one of the first to leave the city for the first season.

Proser's Beachcomber is bringing the show to Saratoga for the first settlement to circumvent infringing on the Don the Beachcomber spot in Hollywood.

By HERB GOLDEN
Re: Show June 10.
One of two big U. S. Army shows to make their debut during the past week, the "Booze Hustling" and "Tale No Yip," which are being staged by other in the east, both of which are bound to have dozens of more of the same sort of thing all over the country, opened a five-night stand here last evening (Monday) at the Strand, N. Y., by draffees plucked from Hollywood for service in the Training Film Studio Laboratory at nearby Fort Monmouth, Signal Corps Headquarters. "Boatloads of 1941, get a tremendous response from the 800 civilians, officers and privates who packed the Red Bank Elite Hall. (Title of Coast review in adjoining column.)

Although a sock recruit show, as sophisticated as any Manhattan musical despite the preponderance of military "Tale" it's not either "Tale No Yip," Yaphank" is present for that. Soldier show of 1918, produced at Camp Upton, L. I., with rookier Irving Berlin providing the music, was such a smash it followed its on-the-road tour with a Broadway session on Broadway. Some showmen hoped to see in "Boatloads" a repeat of the success of the latter. It will take more polishing to fulfill that promise.

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2d Army Camp Unit Teeing Off, But Red Tape Holding Up Bookings

Second unit of the mobile vaude show playing Army camps tomorrow (Thursday) night at Fort Hancock, Sandy Hook, N. J., while five other trunks are waiting in Detroit to transport the medicine shows are being kept from starting by army red tape arrangements in Detroit. Unit A of the on-the-road entertainment teed off Monday (9) night at Fort Snagg, Pennsylvania, with Ken Nichols as emcee, W. C. with Ken Nichols as director of the company.

Allan Jones, through arrangements with Paramount, flew in from the Coast to provide the name with the initial act for Fort Bragg. Other Jones, who will get paid, are Lou Parker, Colette Lyons, Lola Galli, Margie Sifers, George King and Stephen Richards, pianist. Top name hasn't been set yet for the second trunk, but other performers will be Milton Douglas, Lucille Johnson, Patricia King, George Prentice's Marionettes and Gluey Manners.

What's holding the other five trunks in the garages is the General Jones, which is leading the transportation, is the uncertainty of bookings. Moral officers of each camp must put in a request for booking and subject to other activity, it is difficult to set dates.

Most of the camps will be played for one night only, although Fort Bragg, largest post in the army with 54,000 men, will see the unit for four days. Two performances an evening will be given in each case. Shows, being arranged by the Citizens Committee for the Army & Navy, Inc., hope to reach approximately 75-80% of each post's personnel.

Post of Unit A through the south has a potential audience of 400,000 men. After Fort Bragg, it goes to Camp Davis, Wilmington, N. C.; Paris Island Naval Base, N. C.; Fort Jackson, Columbia, S. C. (two nights); Camp Croft, Spartanburg, S. C.; Augusta Arsenal, Augusta, Ga.; Savannah air base, Savannah, Ga.; Camp Stewart, Savannah, Ga.; Camp Blending, Stock, Fla. (two nights); Orlando Air Base, Orlando, Fla.; MacDill Field, Tampa, Fla.; Camp Wheeler, Macon, Ga.; Fort Oglethorpe, Ga.; Camp Hancock, Tallahassee, Fla.; Fort McClellan, Annapolis, Md.; Fort Benning, Columbus, Ga. (two nights); Hunter Gunther Fields, Montgomery, Ala.;

Selma Air Base, Fla.; Pensacola Naval Station, Fla.; Camp Shelby, Hattiesburg, Miss. (two nights); Camp Livingston, Alexandria, La.; Camp Gretna, Alexandria, La.; Camp Claiborne, Alexandria, La.; and Berkshades Field, Shreveport, La. Shows will get from Fort Hancock to Fort Monmouth, N. J., on Friday (13) night then Camp Union, N. J. (two nights); Fort Hancock, N. Y. (two nights); Fort Ontario, N. Y. and Fort Niagara, N. Y. Further bookings are expected.

Delmar's Setup Harry Deimar is setting and booking the units, which remain experimental. Winton Freedley is head of the entertainment division of the C. C. Citizens Committee. Letter will go to the commanding officer to the opening point and guarantee return of all acts to New York. Under the agreement with the army camps, the subsequent routing, number of performers in any single entertainment, are to be determined by officials. A detail of two officers and eight privates will escort theatrical troupes to see. A comedian-in-charge will accompany each unit, which will be set up like a vaudeville show. It is hoped to give the same treatment to individual performances as they are available. The units proper will be standard units.

It is the hope of vaudeville-lovers that by exposing hundreds of thousands of young draftees to variety acts a stimulus to stage entertainment may result in the future. Idea is that a whole generation of young men are unfamiliar with vaudeville. It will be part of the job of each unit director to recruit stagehands, electricians and ushers, etc., from among the soldiers themselves.

ROGERS CORNER, N. Y., FILES REORG. MOVE

Rogers Corner, operators of a restaurant and cabaret at 60th st. and 8th avenue, N. Y., filed a voluntary petition for reorganization in N. Y. federal court Thursday (8) listing liabilities of \$123,833 and assets of \$204,553. Plan of reorganization accompanying the petition offers to give unsecured creditors 100% in full. Assets include \$101,924 in the bank, equipment, fixtures and \$180 in cash. Liabilities include \$7,534 in taxes, \$50 to the Muzak Corp., and \$7,324 to Joseph Rogers, president. Rent now being paid is \$30,000 yearly on a 10-year lease ending in 1950, at which time the rent will be \$40,000 a year. Wages owed to employees total \$2,500. Gates and Winters are the former Jack Dempsey restaurant.

Big Army Revue

(Continued from page 37. I use sees crossing with a placard. I use (Continued from page 37. I use (Continued from page 37. I use)

Mouth is the Army's pigeon trapeze center, and a skit labeled 'Squabs Right' by North is a pip. Churchill and Jerry Thomas, former of the famed Thomas' family, but never on a stage before, are near a couple of comedians who suffer because a bird falls to return with the order which would stop the Army from swimming the sea.

Romantic vocalizing is handled by Douglas, who is a member of the 'Music was created by Private Fred Bernet, Fieson singer. Mc. Marshall Heselvine, formerly an English announcer on a French radio station, who will include Robert Richardson, former radio soap opera player, and Ellis Marcus, an ex-vaudeville. Alexander Linton, who was famed 'Great Linton' with Barnum & Bailey sideshows before the Arranged by Billie Lee. Perla contributed his sword-swallowing turn.

Scene was provided by animators in the Film Lab, Robert Major and Victor Mishinsky, formerly of the Famous Players-Lasker. John Schlegler artist, and Paul Fanning, who was with the Harman Brothers. Lighting is handled by Ed Redmond, last a WB special effects man, and Robert Koofol, also a man. Woodworking is handled by the state of CBS' engineering department, handles the sound, while Albin Shaft, former of the cutter at WB, is in charge of the b.o.

Admission is 25c for soldiers, 50c for officers and civilians.

Pitt Amus. Sent Thru Wringer, Result of Flood

Pittsburgh, June 10. Flood which hit Pittsburgh unexpectedly last week after a period of steady rain was costly to the city. It is estimated that more than one. Naturally kept out of the city, since it was his first time. In addition, Big Top lost one of its most valuable animals, a pony. Tent had been pitched at a new location this year, right near Monongahela River, and when Pepo was led out by its trainer, Arthur Knoxy, after final evoking performance, he was struck by a large log to a groom, animal breaking away and slid into swollen stream. Swift current swept it under a barge and out of sight.

While 27-foot crest was 19 feet under that of Pittsburgh's famous 1930 flood, which cost millions and many lives, it was bad enough to play havoc with the show. The entertainment enterprises. Nearly 1,000 passengers on excursion steamer Senator were marooned for an hour while policemen and fireman laid 50 feet of plank from gangplank to the boat's platform of the City. The town's most popular nitery, had to be carried up the bank by an emergency Spot, however, no damage found to be undamaged when waters here.

First time in city's history that flood stage had been passed in June. Gates will be actual month for the local lovers to act.

CHI EMA SEAT UP FOR SEPT. ELECTION

Chicago, June 10. New slate for the executive posts of the Entertainment Managers Ass'n. will be up for election in Sept. David P. O'Malley, president of the EMA since its inception, has turned down the bids for the nomination, but has indicated that he will accept a post on the directoral board. In place of Mr. O'Malley, the office will be Mr. H. H. Barnes & Caruthers, as president; Charles Hogan, v.p.; and Lyman Goss, as secretary-treasurer. Board will likely consist of O'Malley, Charles Hogan and Paul Marr. Graham, of Chicago Radio Artists, has indicated willingness to serve and may also be placed on the board.

Bertell, After Balking at MCA-CBS Merger, Made V.P. of New Agcy. Setup

Adler-Kelly's Tavern, N.Y., Files Petition for Reorg

The 48th Street Tavern, Inc., incorporated in the N. Y. state, has filed a voluntary petition for reorganization in N. Y. federal court yesterday (Tuesday), listing \$8,553 in assets and \$4,648 in liabilities. Plan of reorganization offers, as operator, to liquidate. Cost of operation is \$2,700. It is stated. Largest creditor is the estate of William La Hiff, owed \$4,600.

Charlie Adler and George Kelly, ex-Tavern Club boys, took over operation of the Tavern, famed midtown eatery, last summer.

Sousa Memorial

(Continued from page 1) and those performers advertised to appear that it did not okay the affair, inasmuch as it was not for charity purposes, and that no performers should appear gratis. Just before the N. Y. police department request of Aurora, Illinois, authorities, arrested Charles Van Arsdale, in the market-selling area, who has set up a boiler-room operation for that purpose in the Delmonico Hotel. The market-seller, who is the Illinois coppers for pulling a connection game and he was shipped to the penitentiary.

A checkup by TA at the Carnegie Hall boxoffice last Friday (16) disclosed that only around 100 tickets had been sold there for the affair. Lattery had a distinguished organizing committee including Brock Pemberton and Lee and J. J. Shubert, but it's doubtful if these men were cognizant of the promotion.

Financial backer was Charles Roberts, a Johns Hopkins alumnus. Co. executive, who is said to have poured over \$7,000 into the venture on the promise that he in New York would get the contract to furnish the building material for the Sousa Memorial, and then to get the Roberts, it's understood, is making good the returns on tickets sold. At least two large advertisements on the affair were printed in N. Y. dailies, chiefly the Times, with a number of name performers killed as scheduled to appear.

On the organization's letterhead, B. A. M. was declared president and Arthur Pryor, v.p. of the Sousa Memorial, Inc. Sponsors of the Carnegie Hall show included Mayor Florence La Guardia, Alfred E. Smith, Dr. George D. Goetz, Arthur Hays Sulzberger, William S. Paley, George Willson and Alfred E. McCosker, William Brady, Max Gordon, along with Pemberton and the Shuberts, were named on the entertainment committee.

Ben Boyar, Max Gordon's general manager, interested many of the show big names in the venture, but the show was not a success in all as in the others. There were reports also that the 21 ambassadors of the Latin American countries in the U. S. would be special guests at the show—also aimed as a goodwill gesture, but never won public acceptance by the diplomats.

CHARLES KEEPER

FEATURED COMEDIAN
GEORGE WHITE'S SCANDALS
CURRENTLY APPEARING AT
LOEW'S STATE, NEW YORK

Personal Management—CHAS. H. ALLEN
RKO BLDG., NEW YORK

LEONARD GAUTIER'S THE BIG NEWS

Currently LOEW'S STATE, NEW YORK
With "GEORGE WHITE'S SCANDALS"
Management—MEYER NORTHER

Jack Bertell, v.p. of CBS Artists Bureau under Howard Rosenberg the executive v.p., balked at first when the Music Corp. of America takeover became public, but will now remain with the merged organization. Bertell gets the title of v.p. of the MCA Artists Ltd. and will act as coordinator of talent for personal appearances, plus shows, pictures and records. Bertell will also act as coordinator of MCA Artists, Ltd.

Rosenthal becomes a v.p. of MCA when the two bodies merge in about 60 days, the necessary period for the transition.

Loe Branding, executive side to Rosenberg, now will probably remain with CBS in the radio production department. Minkoff will now come to Columbia to MCA and back to CBS, hence doesn't fancy returning once more to Music Corp. under the merger.

Meantime, Danny Kaye's balking at his five-year contract with CBS (hence to MCA) is held. It may be modified to a one or two-year arrangement, although MCA prez J. C. Stein states that the same arrangement. Guilds okayed the takeover, and he anticipates no difficulties from talented talent.

MCA lawyers are said to interpret the deal as a stock sale of a corporation, rather than the wholesale assignment of talent, which according to them, leaves the talent no alternative but to go along.

Sherman Setting Up Coast Agcy. Branch To Deal in Pinstripes

Edward Sherman leaves Monday (16) for the Coast, where he will set up a branch office in New York combined booking and talent agency. Sherman is moving his family out of the city to a new home. There, the booker having leased Martha Raye's newly-built house, but he himself still shuttle back and forth between Hollywood and N. Y., returning to the letter Aug. 1.

Sherman, who personally manages Abbott and Costello, is entering the film agency and will also attempt to lead the auditioning of bookie with a steady stream of celluloid players for personal appearances.

FISCHER'S 'FOLIES' FEMS A PROBLEM IN CRISIS

Possible complications, if and when wartime measures make shipping a problem, loom for Clifford C. Fischer's 'Folies Bergeres' due to open in Rio de Janeiro's largest, to lead to a mid-year international circuit. In his opinion, Fischer would have a near-bankruptcy if the Latin American countries in the U. S. would be special guests at the show—also aimed as a goodwill gesture, but never won public acceptance by the diplomats.

However, he is starting rehearsals June 20, preparatory to sailing. Fischer's show is a double bill with Boro are latest talent additions.

THEATRICALS OF THE STARS
Marcus
BOOKING AGENCY
GENERAL EXECUTIVE OFFICES
LOEW BUILDING ANNEX
100 W. 46th St., N.Y.C. - BR 9700

J. H. LUBIN
GENERAL MANAGER
SIDNEY R. PICKMONT
BOOKING MANAGER

Variety Bills

WEEK JUNE 13

Numerals in connection with bills below indicate opening day of show, whether full or split week.

Loew

NEW YORK CITY
Hasta (15)
Adrian Rollin &
Hartmann

Harriet Carr
Club Summa
New York City
Shelia Rossell
Belmont
Lola Lorraine
Lola Lorraine
Diamond Brokers

Lolo & Raman
Pieric Alvares
Betty Clark
Hotel St. Regis
George Hartley
Earl Carroll
Michael Lendon Ray
Earl Carroll
Olivia & George
Charles Lawrence
Bert Wallace
Dorothy Ford
Helen O'Hara

Calahan St.
No. 1000
Coconut Grove
Billie Day
Michael Lendon Ray
Earl Carroll
Olivia & George
Charles Lawrence
Bert Wallace
Dorothy Ford
Helen O'Hara

Pauliland
Manday
Al Donahue
Kenyon
Kenneth
Margritte & M'rine
Bob Marley
George Perle
Flores Miller
Charles Lawrence
Prates Don
Art Wynn
Henry Grant
Mary Kelly
Mortimer
Mortimer
Mortimer
Mortimer

Ralph Westwood
Manday
Lo Zola
Manday
Katherine
Manday
Mary Joyce
Manday
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Frank Conroy
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Leon LeVardi
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Paramount

NEW YORK CITY
Vivian
Milton Miller
John Lopez
Milton Miller
Vivian
Chicago (15)
Glen Miller Or.

Lorraine &
Rita
Lorraine &
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Warner

NEW YORK CITY
Hasta (15)
Lew Brown Or.
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Independent

NEW YORK CITY
Hasta (15)
Wynn Murray
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Cabaret Bills

NEW YORK CITY
Ammons & Johnson
Joe Moran
Laurie Dutton
Dick D'Amico Or.
Laurie Dutton
Dick D'Amico Or.
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BOOKING THE NATION'S LEADING INDEPENDENT WAUDEVILLE THEATRES

EDWARD SHERMAN

1619 BROADWAY, NEW YORK, COL. 5-0930

Jack Lane Co.
Diana & Della
Cathy Richards
Brooke Biss
Constance
Mary Kay
Pat Shalvey
Eddie Steiner
Eleanor Brangan
Helen Warner
Lillian Warner
Lillian Warner
Lillian Warner
Lillian Warner
Lillian Warner
Lillian Warner

CHICAGO

Dorben Gie
Mick
Roger & Morris
Merita
Nancy
Dorothy
Tom
Duke
Blackhawk
Chris
Marlene
Helen
Sylvia
Bobby
Sylvia
Lorraine
Lorraine
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LOS ANGELES

Royal Guide
Dorothy
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PHILADELPHIA

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PITTSBURGH

Janet Lee
Merry-G-Boond
Joe Moran
Gay
Stephanie
Kawpils
Nelson
Bob
Dancing
Shirley
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BOSTON

Richards
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CLEVELAND

Hotel
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Metropolitan, London

London, May 7. Carroll Lewis... Eddie Lee, Donna Sisters... Two Crownells...

The Met, as this music hall is affectionately known, has a new repertoire, replete with soap and fish, stands in the lobby...

Metropole has been operating for over 40 years, and some customers pride themselves on watching the show week since its opening...

The bars adjoining the auditorium are being run with a vengeance...

Program opens with Donna Sisters (3), dancers. Very amiable...

Krandon and Karns, "unique" act. They are billed as "The only act in the world..."

Two Crownells, one of the few comedians acts on the trapeze...

Carroll Lewis brings on his 'discomfiting' act...

Carroll Lewis' act is a good one...

Carroll Lewis' act is a good one...

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Carroll Lewis' act is a good one...

ing and judging by the Bandells is accomplished and clever.

Most of the misfire is on the contrary, and was meant to avoid these acts into a unit, and the bits of business man...

Stringing out the show nearly nullifies the effect...

Film is average calibre and house is in different figure than it has garnered in past couple of Quin.

CHICAGO, CHI

Chicago, June 7. Lew Hoffman, Commanders & Sims Walker (17), Rosalindos (2), Loretta...

With a long and intricate picture, the stage show is kept down on numbers...

This is the second week for most of the turns of the show, which holds over...

Running time of six minutes seems overlong for a little sketch...

Other of the unit's turns that do not get a second look...

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STATE, N. Y.

'George White's Scandals' unit with Charles Kemper, Bob Saxe, Harris...

After three somewhat lax weeks, however, George White's act looks a little better...

White made a tour to coin from the leggers in vaudeville houses...

New unit comprises the White Party show part...

Running time of six minutes seems overlong for a little sketch...

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STRAND, N. Y.

The audience is hap. Goss over strongly.

There are few better tap dancers around than Bill Bailey.

Newcomer Viola Ferguson exhibits good form in her vocalizing of 'I Got Rhythm'...

Jackie Mabley, femme comedian who's a powerful draw in Harlem spots, is saved until the last.

Plenty of talent but unit had to wait for a little relief...

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ORPHEUM, OMAHA

Omaha, June 10. 'Carnival of Fun' unit with Deane Apollon, White, Shure, Ruth Patey...

Plenty of talent but unit had to wait for a little relief...

Other of the unit's turns that do not get a second look...

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EARLE, PHILLY

Philadelphia, June 7. Tommy Tucker Corp (12) with...

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LYRIC, INDLPS.

Indianapolis, June 7. Grandfatherly (10), Flore Duane, Equilo Brothers...

Current bill goes back two generations to get its title, 'Grandfather's Polka'...

Costumes run to checkered vests, boxered shoes and bowler hats...

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APOLLO, N. Y.

John Kirby (10), Ratusa Murray, Dennis Debe (13), Bob Howard, Bill Orley, Viola Jefferson...

Apollon dispenses with its usual house line and drawn-out production...

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HIPP, BALTO

Baltimore, June 8. Dennis Day, Corleto's Hollywood...

Nicely routine set plays well and new as it unites. Marched by Johnny Howard...

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STRAND, N. Y.

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Other of the unit's turns that do not get a second look...

TOWER, K. C.

Kansas City, June 7. 'Crazy Show' with Shaw and Lee, Jackson and Nedra, Frances Will...

Tower continues its policy of being in lieu of its usual combination...

Other of the unit's turns that do not get a second look...

Other of the unit's turns that do not get a second look...

Other of the unit's turns that do not get a second look...

House Reviews

Continued from page 40

EARLE, PHILLY

manner and a voice that's not half bad... Earle, Philly, a 25-year-old...

EMBASSY, S. F.

San Francisco, June 5. The Cameron (3), Billy Johnson, Chuck Miller, Chick O'Hara, Al Hewitt, Dick Croby, Rayburn...

The Stuart Morgan Dancers are a class of studio trained dancers...

With attendance building week by week, this spot is now mulling an extension of the vaude revival...

Alfred Holmes cracks in nicely with the greatest of ease and one point is thrown almost clear...

This week's edition of 'Night Club Days' maintains the pace previously set by the first two shows...

Alfred Holmes cracks in nicely with the greatest of ease and one point is thrown almost clear...

Bayburn Dancers, from the trans-Hudson Club, are making their debut...

House was almost filled at Saturday 7th dinner show.

Nitery Review

BAL TABARIN, S. F.

San Francisco, June 5. Paul Rostin, Cynda Gien, Walter...

With biz off all over town, this top Frisco nitery is still getting the cream...

Tommy Dorsey's hard-driving style... The Ashburns, as proficient as they are...

Bayburn Dancers, from the trans-Hudson Club, are making their debut...

New Mo. Blue Laws

St. Louis, June 10. Nitery and jukebox biz in Missouri is being hit hard...

Tommy Dorsey's hard-driving style... The Ashburns, as proficient as they are...

Bills Next Week

Continued from page 39. Billy Kolc, Al Lowie, Al Lowie, Al Lowie, Al Lowie...

Continued from page 39. Billy Kolc, Al Lowie, Al Lowie, Al Lowie, Al Lowie...

Jack Johnson Angling For Nitery in Detroit

Detroit, June 10. Jack Johnson, former heavyweight champion of the world...

N. Y. Nitery Follow-Up

Tommy Dorsey's hard-driving style... The Ashburns, as proficient as they are...

The Ashburns, as proficient as they are with their baritropathy at the Rockefeller Center Rainbow Grill...

Billdegard continues the N. Y. cab name of New York at the Savoy Plaza. She has now assumed more of a vaudeville, sophisticated...

Sammy Kaye and his corps of really good dancers... He is now making a specialty of swing and swing music...

Billdegard continues the N. Y. cab name of New York at the Savoy Plaza. She has now assumed more of a vaudeville, sophisticated...

New Acts in Niteries

JEAN SABLON. New York. Jean Sablon more or less lunched into the Club Versailles...

Tommy Dorsey's hard-driving style... The Ashburns, as proficient as they are...

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The Good Old Days

Herein appears a Variety review of a N. Y. Police bill of 20 years ago... The intention is to bring back the good old days...

PALACE, N. Y.

If ever there was an all-American, all-around perfect vaudeville bill put together...

Edwards scored the prolonged wallof of the night, if any decision can be given on what appeared an eight-act dead heat...

Three Bobs, with their convulsing ball-catching crowd—that solemn but for the fine comelnet for humanity and efficient attention to its business...

Edwards scored the prolonged wallof of the night, if any decision can be given on what appeared an eight-act dead heat...

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B'way Off Another 10%; 'Snookie' A Dud, \$3,000, 'Ice,' 14C, Will Fold

Nearly all of Broadway dropped down another 10% last week. Rain on two days was responsible. Clear, warm Saturday sent matinees away from it, but night attendance was excellent.

Estimates for Last Week:
C. C. (Comedy), R (Revue), M (Musical), F (Farcical), O (Opera).
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'The Doctor's Dilemma,' Shubert (13th week) (C-1,400; \$3,300). Windfall on an excellent dramatic comedy of Old Shavian comedy topped the straight plays for time, but it fell with the field; around \$18,000.

Play Out of Town NEW ORLEANS

Operate by Oscar Hammerstein II.
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Inside Stuff - Legit

Fellow Equity councilors questioned the propriety of Dudley Diges in strongly supporting a meeting of the independent supporters, who highlighted his speech in campaign literature. They contended that as a member of council he should have backed the union ticket, and that he had acted in an unbecomingly unrepresentative manner.

'ACCENT' 5C, CH; 'ARSENIC,' 12G

Chicago's shows are just going ahead as usual this summer. The rate of cut rates; first seven times rated over \$3,000.
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FATHER \$22,000, SET RECORD TAKE IN DET.

Detroit, June 10. Hanging up what is reported to be the highest record for a state-supported theatre, leader Bert Lytell and his Equity, idea having developed when it was felt that a Government-subsidized movement such as Theatre Project Area should have little chance of getting the nod from Congress in the next year.

'Johnny Belinda,' Longacre (38th week) (C-1,018; \$3,300). Production with less than normal here, but with takings around \$18,000, which operates it profitably for revenue, which operates it profitably.

'Lonlonas Parade,' Imperial (54th week) (C-1,450; \$4,600). Filled with \$13,000 mark last week, which was new low for former musical leader. If business picks up will play through July.

'Man Who Came to Dinner,' Music Box (38th week) (C-1,015; \$2,200). Play scale has not improved gross, but it is still making money when summer idleness starts; around \$7,000; another even break.

'My Sister Blanche,' Biltmore (24th week) (C-91; \$3,300). Affecting sixth month marks; although affecting like most others, it is still making goodly profit; around \$11,000.

'The Jolly Chumps,' 46th St. (22d week) (C-1,247; \$4,000). Despite its reginal leadership after this week, it met with suspension of 'Lady in the Dark'; not much off and claimed around \$2,000.

'Separate Rooms,' Plymouth (63d week) (C-1,047; \$3,300). Is outstanding plenty of shows; opened this past season; geared to operate on modest money and shows a material gain for the year; around \$11,000.

'Snookie,' Golden (1st week) (C-780; \$2,750). Planned; playing by the grace of cut rates; first seven times rated over \$3,000.

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Police action on the part of the city council, which is the second show presented by Sam H. Harris and written by George S. Kaufman to have come within such a winning circle, the other being 'Can't Take It With You.' 'Tobacco and the Law' and 'The Heppopopkins' are the other two. 'The Heppopopkins' ran on a horse, 'The First Year' and 'Seven Years' were eight of the others. Three of these, had John Golden in the production end.

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'People' \$14,000, Better In 2d Hub 'W' Than 1st

Boston, June 10. 'People' the town solo last week. They took \$14,000, and customers to boost the take over the initial week and remains at least one more.
For its second week 'People' rang up a better \$14,000, and customers to boost the take over the initial week and remains at least one more.

'Vinegar' Sour 6G in S.F.

San Francisco, June 10. Third week of 'Vinegar Tree' (Orpheum) at the Municipal Grand Casino had tough standing at estimated \$5,000. Comedy goes a fourth week, but it is still making money; 'No Time for Comedy' being Operetta, 'Chocolate Soldier,' which last night (9) at the Curran and John Charles Thomas, will be held two weeks instead of one as in the case of the two previous productions in this series.

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HELENE GARRETT
CO-STARRING IN RECORD BREAKING 'HELLZA-POPPIN' ON TOUR
Mgt. Wm. Kent
17th Ave., New York

NORMAN HARRIS and SYLVIA SHORE
Closely Tied!
LOEW'S 52nd St. NEW YORK
Mgt. Wm. Kent
17th Ave., New York

SAMUEL FRENCH
Closely Tied!
LOEW'S 52nd St. NEW YORK
Mgt. Wm. Kent
17th Ave., New York

Dies Equity 'Red' Probe Official

Past week developments definitely indicate an investigation by the Dues Committee on Equity agents... Steve Berningham, chief investigator for Congressman Martin Dies...

AFRA Hanes in Equity Election Indicates Jurisdiction Squabble Over Television; Communism Probe

No matter how the Equity election, which placed three candidates on the council, turned out, it was clearly indicated by inside observations...

ACTOR FUND READIES OUTDOOR BENEFIT SHOW

Actors Fund is readying an outdoor benefit show to be held June 20 at Manhattan Beach, Brooklyn...

Suits and Countersuits By Ballet Russe Cos., Huruk, de Basil, Etc.

As result of newly discovered evidence, Judge John C. Knox in N. Y. federal court Monday (9) reversed a stand made on April 22, and declared that Wassily de Basil and his partners...

Conservative Policy of Equity in Principally Containing Itself to the Legal Field

The unions which comprise the Associated Actors and Artists of America. The comments came after Equity rejected its claims to jurisdiction in the film field...

Suit Against Huruk The Orphan

The Orphan N.Y. Supreme court against Huruk, Attractions, Inc., Communist front, and the Musical Drama, South American representative for Huruk. Damages of \$50,000...

Another Huddle between Managers and Agents

Another huddle between managers and agents was held last week but was not reported in this column. The issue at stake is that producers engage an adviser on clothes, even though no show is yet in the regular dressing-up phase...

Keep TMA Officers

Theatrical Managers and Agents Union held annual election Monday (9) renounced officers of the past year. Saul Abraham is president...

TREASURERS WIN QUICK RACETRACK STRIKE

Treasurers union was a fast strike against New York's race tracks last week. It being indicated that the track operators preferred settling rather than face publicity. Appears, however, that the help of the teamsters union was the leading factor...

'ICE' WILL SUSPEND IN N.Y. UNTIL MID-JULY

'It Happens On Ice' will suspend at the Center, Radio City, Saturday (14) as previously intended by the decline in attendance, but is due to re-light around the middle of July and play into September. The show is principally dependent on visitors and that type of draw is anticipated during the summer resumption...

'Lad' Taking Vacation After Setting Unusual Record; 8,500 Standees

Broadway hits has surpassed for the summer before, but 'Lad in the Dark' will lay off at the Alvin with the most unusual attendance mark on record...

'SNOOKIE' KIDS UP AN ORPHAN

'Snookie,' which sneaked onto Broadway last week (3) at the Golden after the regular season and the big hit, 'The Orphan,' nighters who took a chance and attended. Olsen and Johnson were billed as producers, but their names were promptly blocked out from the program after its premiere...

Mady Christians Tops Indies

Of the Indies elected, Mady Christians topped the list. She is the storm center of the opposition, who drew 91. Myron McCormick, who drew 89, is the only one with an indie group as Margaret Webster and E. John Kennedy. Later is a replacement of one year...

Gloria Stuart Replaces Ailing Maud Evans

Defeated candidates on the regular ticket, Maud Evans, who was Maida Reade, E. J. Blunkell, Robert T. Haines and Beverly Byrne. Other regular ticket winners were: Denniston, Arthur Pierson, Vivienne Segal and Calvin Thomas. Indie group of Maud Evans was headed by McMahon, Theodore Newton, William Post, Jr., and Joanna Ross...

Wilson's 2 Shows

John C. Wilson, who was non-productive last season, has two plays lined up for Broadway showing next fall. One is Noel Coward's newest work, 'Billie Spirit,' which is expected to be produced in the fall. The other being 'Pep Show,' by Ernest Pascal.

Mrs. Scenicists Meet

One of the most important meetings of the scenicists was held last week. The meeting was held at the home of Mrs. Scenicists and was attended by a number of scenicists from various theaters. The meeting was held to discuss the current state of the scenic industry and to plan for the future.

3 Indies and 2 Supporters Win Equity Council Posts in 'Quiet' Election; 1st Defeat of 'Regulars'

Equity's annual meeting and election for 11 posts on the council might have been the duller than usual because of the placidity of the proceedings at the Astor hotel, N. Y. Friday (8), but the meeting was a quiet one...

Actually the opposition placed five people on the council, but only three were supported by the regular candidates. In addition to the eight it had nominated by the petition route. This result about equals that of the former radically-minded Actors' Equity, which in 1936 managed to get five candidates placed on the regular ticket...

The group known as the Actors Forum was subsequently dissolved to avoid the regular membership. Possible that the new 'uprising' will also quiet down, but the fact is that the regulars are developing. However, it is generally conceded that the new group is favorable showing because their campaign committee worked well and attracted a large number of members...

The wide spread afforded by the two ballots may have had something to do with the results. There were 25 candidates in all, 15 on the regular ticket, plus two for a replacement of one year. It is also pertinent that more votes were tabulated than heretofore, 915 being the total. The regular ticket page ad that appeared in Variety last week, inserted by the regular ticket group, was the cause of some 500 votes. Cost members were not reached in time by the paper, but a replacement of one year, which was being only around 500 in good standing—and but a few of them vote none...

Figures on standing room tickets prove that nearly 8,500 have seen 'Lad' on the hoof. A majority of stands administered by the regular ticket group, and paid \$2.00 each to get into the theatre. At matinees, Miss Lawrence's ticket, which gives her a piece of the managerial end without liability. If that percentage is included, Miss Lawrence should be earning more than \$5,000 weekly when production is paid off. While 'Lad' is in the back, the cost of production on operation, it is away out of the red counting the coin paid for the picture rights...

There were 232 voters who split their tickets and 79 votes were cast for the regular ticket. The colored member elected to council.

Lambertson in April Congressmen, who charged that six of the council were Communists or 'ellow travelers,' inquired of the regular ticket group through a letter sent to Bert Lyell, Equity's president. Nominating committee of the regular ticket group and it ostensibly because of that the opposition ticket was formed. The regular ticket group was the cause of the refusal to name Hewitt in a previous letter to Florence Reed, chairman of the Lawrence group. The regular ticket group was the cause of the refusal to name Hewitt in a previous letter to Florence Reed, chairman of the Lawrence group. The regular ticket group was the cause of the refusal to name Hewitt in a previous letter to Florence Reed, chairman of the Lawrence group.

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(Continued on page 44)

Equity's Upset Election

Continued from page 11

son had declared that the Federal Relief Theatre (WFA) had been ditched because of redaction. The latest Lamberton letter was not read until 90% of the votes had been cast, Lytell writing until then to prevent it being injected into the election. The letter in part:

"I understand I have been the subject of derision at meetings held in the support of the independent candidates. My charges have been laughed at. I have the honor of being a member of the Congress for the last twelve years. I have written and spoken on the House Appropriations Committee, before which officers of your organization have appeared regarding Federal funds. Any one even slightly informed on the subject knows the only reason for the demise of the Federal Theatre, was Communist infiltration into the project."

Around 30 minutes was allowed for both sides to speak before the balloting started. Hewitt again denied being a Red, or having anything to do with the Communist party. He said he had attempted to clear his name of the charges, but could not get action; also that it is his belief that "informers are splitting up Equity." Miss Christians and Miss Webster also spoke. Later, a regular candidate who supported the ladies, said that Equity "wants neither Moscow nor Kansas politics." Florence Reed defended the selections of the nominating committee and Maids Reade spoke along similar lines.

Paul Dullzeit, treasurer and execu-

tive secretary, in his annual report, said that the association was in strong financial condition, there being a surplus of \$23,000 made during the fiscal year. Lytell, first to address the meeting, remarked that "there is no divorce in Equity," meaning the contested election, and predicted that everything will be alright.

Meeting opened by an invocation by Rev. Randolph Ray, of the Little Church Around the Corner, a departure in starting the annual session in the usual manner.

Dullzeit Heads Chorus

Chorus Equity held its annual meeting Monday (9), with Paul Dullzeit again named head of the executive committee and Ruth Richmond continued as executive secretary. John Eliot and Norman Van Embrough were appointed as chorus representatives on Equity's council. They are also of the executive committee, along with Jean Woods, Roger Gerry, Marguerite Benton, Philip Gordon, Mary Brent, Ruth Neslie, June Rutherford and Bill Marcell. Gerald Moore is recording secretary. Surplus was placed at \$132,067, net for the year being \$5,507.

Ann Corio playing strawhat dates in 'The Barker' and Sallor, Beware, but has turned down offers to do a revival of 'Bourlesque,' because she wants to go away from the strip connotation in her summer theatrical appearances.

Current Road Shows

(June 11-22)

'Accent on Youth'-Selwyn, Chicago (11-21).
'Arsenic and Old Lace' (Erich von Stroheim, Laura Hope Crews)-Grand, Chicago (11-21).
'Cabin in the Sky' (Ethel Waters)-Philharmonic aud., Los Angeles (11-21).
'Charley's Aunt'-Maplewood, Maplewood, N. J. (11-14).
'Chocolate Soldier' (John Charles Thomas)-Curran, San Francisco (11-22).
'George Washington Slept Here'-Aud., Worcester, Mass. (11-14).
'Hellszapatin'-Aud., Chicago (11-21).

'Ladies in Retirement' (Florence Reed)-Windsor, Bronx, N. Y. (11-15).
Flatbush, Brooklyn (11-22).
'Life with Father' (Dorothy Glah)-Cass, Detroit (11-21).
'Little Foxes'-Capitol, New Britain, Conn. (11-14).
'Man Who Came to Dinner' (Alexander Woolcott)-Colonial, Boston (11-14).

'Meet the People'-Shubert, Boston (11-21).
'Mr. and Mrs. North'-Flatbush, Brooklyn (11-15).
'Windsor, Bronx, N. Y. (11-22).
'My Sister Elsie'-Harris, Chicago (11-21).

'The Time for Comedy' (Francis Lederer)-Alcazar, San Francisco (12-18).
'Wings' (Billie Burke, Paul Cavannagh)-Alcazar, San Francisco (11-14).
'White Cargo'-Capitol, New Britain, Conn. (11-21).

of the Actors Forum group, supposed to have been dissolved.

Hope They'll Reconsider

The resignations came as a shock to Lytell and the soundillers present. It was decided to table the letter of blanket resignations in the hope they would reconsider. Lytell said: "There are too many fine minds and loyal workers for Equity involved in this action also among the several defeated councillors to accept such hasty action without attempting to prevail upon them to change their minds."

Lytell pointed out that several valuable members of the council had missed reelection by the narrow margin of a few votes and he felt it was their defeat that caused the resignations. Although he conceded the situation was discouraging, after years of effort in the interests of the actor, Lytell predicted a better understanding among the association's leaders would soon prevail.

There are 50 councillors, but only between 20 and 30 attend the meetings, and those who resigned figure they are of the minority, at least in that body. As for the membership, however, the largest number of votes went to the regular candidates, which failed to mollify the disaffected leaders.

They believe that the campaign was directed by former Forumites, now with the American Federation of Radio Artists, and claim Equity has been so harassed by partisan politics that Equity has lost the

good-will of the government and the public.

10 Equity Leaders Resign

Continued from page 11

of the government and the public. Lytell's letter of resignation hints at the cause for disaffection by its opening sentence:

"For years we have been struggling against an influence in our Association which seemed to be a subversive of American ideals and institutions. We have seen this element change from a group of workers from a Guild of professional actors to the best interests of the theatre as a whole to an labor union of different objectives. This union is harassed by partisan politics. It has lost the good will of the public and the government. It is constantly increasing regulations and restrictions which we cannot believe are for the ultimate good of the actor, industry or the art of the theatre."

"In this long and very hard fought battle we have believed that we represented the vast majority of our fellow actors. The resignations have convinced us conclusively to us that the majority of Equity members are not in agreement with our ideas and ideals. We are out of step with the regiment."

They who supported the Regular Ticket and the duly elected Nominating Committee, in effect, were the majority of the members. We have been repudiated.

"After much thought and prayer, it seems to us we can best serve our organization by stepping down from the Council. The new order now controls 17 members of Council. This is a majority of most Council Meetings, which rarely exceed 30 members. We hold citizenship to the ideas and opinions we expressed during the last campaign. But we feel we can best serve the minority which agree with us from the floor rather than by resigning. We believe that we believe it is in the best interests of those members who trust us to protect their interests, by resigning the responsibility of council membership. We are now powerless to do anything for them in the Council chamber."

"So that all the membership may be fully informed on what we will be doing as a most important issue, we formally request that the verbatim report of the election meeting be published in Equity Magazine, together with this statement of resignation. We think we would be highly unfair to the members to deprive them of the full and entire account of the issues. If necessary, we ask that a special number of Equity be issued, as agreed regularly, but because we believe it is in the best interests of the membership and because our usefulness as councillors is ended, we therefore tender our joint resignation from the Council of Actors' Equity Association effective immediately."

Strawhats

Bucks County Free OK New Hope, June 10

Bucks County Playhouse thespians launched their summer semester Friday night (8) by taking the pants off themselves. The Geo. Kaufman-Moss Hart comedy 'George Washington' was here, proved a made-to-order script.

Looks like Theron Berger and Kenyon Nicholson, co-operators of the playhouse, are in for a banner season. By Saturday night all seats were gone for eight-act 'Slept,' in which Charles Butterworth is featured.

Ma, Spot Opens

Baltimore, June 10

Local strawhat season here got underway this week with opening of the Hilltop theatre in nearby Ellicott City. Outh is again under the direction of Don Swann and will present some new scripts along with repeats of recent Broadway plays. Opening bill is a new one, 'Honey,' by Ward Green. Edward Fedala is directing.

Nino Burg is a cast addition for 'Barber of Seville,' at Central City, Col., replacing Robert Nicholson.

Alvin Theatre

New York, June 10th, 1941.

Dear "Variety"

There have been so many rumors of so many of my plans for the summer, none of which I am in a position to correct or corroborate, as one's time and plans are no longer one's own to dispose of these days—but this I HAD planned to do!—write this letter to you.

Please allow me to express my very earnest and sincere gratitude to all my friends in the theatre for their loyalty to Great Britain, which they have shown in so many ways since these shocking hours came upon us. As Vice-President to Rachel Crothers, I want to thank those who are helping to lighten the dreadful burdens being borne by our men, women, and children overseas, through the work of the American Theatre Wing of the British War Relief Society.

There is much to be endured still, but we can do it over there as long as you have confidence in us over here.

I have the very deepest regard and affection for our 'Lady in the Dark' family at the Alvin and I am looking forward to a happy reunion in September. To those who are leaving the fold for pastures new, I want to tell them I shall miss them; and to those who are joining us next season, I want to say, "welcome!"

Again, my thanks to "Variety" for this chance to express my gratitude.

Sincerely,

GERTRUDE LAWRENCE.

OBITUARIES

BLANCHE CHAPMAN

Mrs. Blanche Chapman, 74, 90, professionally Blanche Chapman, who began her theatrical career four generations ago and appeared in practically every variety show and drama from pantomime to light opera, died June 7 at her home in New York, N. Y.

Mrs. Ford, born in Covington, Ky., came from a theatrical family which traced its start as a theatrical family to the widow of Henry Clay Ford, manager of Ford's theatre, Washington, where Abraham Lincoln was assassinated, she made her debut as a child in "Mr. and Mrs. Peter White".

An authority on Lincolniana, Mrs. Ford fell heir to the chair in which Lincoln was sitting the fateful night he was shot. Her husband, thinking the President would be more comfortable in an armchair, brought one from his own home. It long remained in possession of the Government but eventually was returned to Mrs. Ford, who sold it in 1929 to a representative of Henry Ford.

She celebrated a 75th birthday celebration days. Mrs. Ford had appeared with Edwin Booth, Edwin Forrest, Joseph Jefferson, and Dion Bouccicault, among many others. For 22 years under the management of the "New Yorks," she had played in more than 100 light operas. As a singer she was the first actress to appear in the role of "Mrs. Sill" in "M. S. Pinatore" when that Gilbert and Sullivan operetta made its Broadway debut.

Among Mrs. Ford's last appearances was a part in "Lalchattings," produced at the Waldorf Astor Hotel, New York, where she played Mrs. Hovey, sometime Orpheum booker in New York.

Remains were taken to Chicago, her birthplace, for services and burial.

While acting as a clown he toured with the "Follies" in London, famous during the '90s and also did the same routine with the old Sells & Foxwood company in 1910.

Shortly after the turn of the century, Bickel turned to legit and made his Broadway debut in "The Sign" which had a sensational three-year run. He also appeared in "A Trip to Paris" which ran in the Hotel de Ville in the Winter Garden in 1913 and after playing at the Hippodrome, London, where he worked for 1913, he again made many appearances for the Edison Feature Film Co. He also had worked for Famous Players, retiring 11 years ago.

Widow survives. Remains were forwarded to Saginaw for interment.

MARY 'BUBBLES' KELLY

Mary Kelly, 46, vaude and radio comedienne, died in her sleep June 7 in her Hollywood apartment. She had a long record of good health. Starting in show business 30 years ago with a stock company in Chicago, deceased shortly after framed a turn with Tom Swift, also with the stock troupe. Act, comedienne and vaudeville star. She toured the vaude shows for 15 years.

In recent years Miss Kelly turned her talents to the popular radio scene of the top programs, including those of Jack Benny, Burns and Allen, and most recently "Pearl S. Buck."

Allen has many times credited Miss Kelly with starting her on her professional career. Her husband, Ben Kelly, more recent benefits with Benny, being billed with Blanche Stewart as "The Queen of the Radio."

She leaves her husband, Ray Meyers, sometime Orpheum booker in New York, and two children.

Remains were taken to Chicago, her birthplace, for services and burial.

CHARLES N. HAMMOND

Charles N. Hammond, 63, veteran actor, who spent 18 years in the theatre for several seasons and seasons of Walter Hedges and company in the late Bertha Kalich, who died at the Lenox Hill hospital, New York, after a long illness.

Born in San Jose, Cal., Hammond came to Broadway under the management of Walter Hedges and after the turn of the century. After appearing in "The Prince of India" at the Broadway theatre, he later had roles in "The Kreutzer Sonata" with Miss Kalich and with Fiske in "Leah Kleeha."

Hammond, who appeared in stock at various intervals, became a member of Walter Hedges' company in 1923 and was in "Cyrano de Bergerac," "Enemy of the People" and "Hamlet," among others. More recently he had roles in "Miss Swan Expects" at the Cort Theatre, N. Y., two seasons ago.

ALFRED 'TUBBY' TURNER

Alfred "Tubby" Turner, 70, died in London May 12 after a lengthy illness. A well known theatrical manager both in London and the U.S., he commenced his career in 1889 at the Lyceum theatre, London, and served under Frederick Harrison and C. Leah Kleeha.

Turner toured America and Canada with Sir Herbert Tree, then represented the Lyceum in the United States, Australia and New Zealand. In London he managed the Court, the Strand and the Kingsway theatres, then the Winter Garden for 10 years, before taking over the new Saville Theatre.

For some years he had been ill. Both his legs had to be amputated in 1937. He was survived by widow, Shirley Huxley.

CHARLES DE SHEIM

Charles De Sheim, actor who had roles in such recent plays as "My Darling Clementine" and "The Little of Your Life," died of streptococcus infection June 6 at a hospital here after 10 days.

He had been ill for about 10 days. A one-time director of the Chicago Repertory Theatre, De Sheim was associated with the Shubert stock company productions presented by the Old Edwards theatre, which he managed for Fair 40 seasons ago. Other plays in which he had roles were "Journey into Night" and "King of the Cats." National, N. Y., and several stock company productions.

Survived by widow, Beatrix, and his parents, Mr. and Mrs. David Swadesh of Westerville, Ind.

JEAN FEDEY

Jean Fedey, 72, music publisher and manager, died suddenly in Saginaw in Bucharest, Rumania, according to

Information received in New York last week.

A native of Bucharest, Fedey managed the Bucharest Philharmonic Orchestra and the Rumanian Opera before World War I. He also had a brief career as a publicist heading a firm which bore his name. As a concert manager he was credited with having arranged Rumanian engagements for Mischa Elman, Fritz Kreisler and Jascha Heifetz, among others.

Surviving are his widow, daughter and a son.

ADELYN ESTEE

Adelyn Estee, 70, former Metropolitan Opera singer, died in musical career, died June 3 in Los Angeles.

Making her debut at the Met at the age of 18, she later played opposite Eddie Fox and Nat Goodwin in musical shows. At one time she starred in her own production, "Queen of the Mountain Range." In later years she sang occasionally in motion pictures.

Surviving is her husband, William Benn, vaudevillean.

ALFRED ATKINS

Alfred Atkins, actor, was killed in a London air raid recently. Originally a bank clerk, he turned to acting, doing work with "Chu Chin Chow" and "Do'ly Car Company." Of recent years he had appeared in such Shakespearean plays as "Macbeth" and "Gordon Barker in 'The Forg,' appearing also in "The Captive" and "The Captive" at Wyndham's.

CAPT. E. D. C. HERNE

Captain E. D. C. Herne, 51, radio news commentator, died in Chicago June 6 after a long illness.

Captain Herne started with WGN, Chicago, as a commentator three years ago. He had been a World War fighter.

Widow survives. Burial in Chicago.

GEORGE EBBY

George Ebb, manager of the Fulton theatre, Oakland, Cal., succumbed June 2 at his home in Oakland following a long illness.

Ebb was formerly manager of the Orpheum and Macdonough theatres, Ogdensburg, N. Y.

Surviving are his widow and four children.

OWEN BENNETT

Owen Bennett, producer of unit shows on the radio, died in New York June 5 after a long illness.

Funeral services were held in New York. Survived by widow and young daughter.

IRVING G. OSBORN

Irving G. Osborn, 60, playwright and more recently an NBC writer, died May 24 at his home in Norwalk, Conn., of a long illness.

Further details in the radio section.

HENRY HAAG

Henry Haag, one of the early exhibitors in the Michigan area, died at his home in Wyandotte, Mich., June 3. Until his retirement several years ago he operated the old Riado theatre, Wyandotte.

MADAME BERLINO

Mrs. Harry B. 73, better known in America and Europe as Madame Berlingo, concert pianist, died May 24 at Lima, O., from injuries sustained after having been struck by an automobile.

Survived by daughter.

BORIS SAID

Boris Said, 58, who operated the N.Y. and 44th Street theatres in New York, died suddenly June 5 in N. Y.

Details in legit section.

ALEKO

Alexander Diopoulo, 58, stage actor and singer, died in London June 2 in Los Angeles.

Mother, 47, of Nick Kency, songwriter and radio editor of the N.Y. Daily Mirror, died June 4 at her home in London. She was 82. Her husband, Monroe, N. Y., after an illness of two months. Also surviving are another daughter, Mrs. M. Kency, and a son, the editor of the Mirror. Her brother, a laborator in writing songs; a daughter, Mrs. M. Kency, and four grandchildren. Three other sons and one daughter. The World War I. Funeral services will be held at Concord, S. I., Saturday.

Eugene C. McCarthy, veteran theatrical electrician who had worked for the Ringling Bros. circus and managed the Ringling Bros. theatre in Bucharest, Rumania, died June 4 in Mt. Ver-

non after a long illness. McCarthy, who retired after an injury some years ago, left a widow and two sons.

Bernard Dillon, 63, former husband of the late Marie Lloyd, must have been active in music publishing. He was a jockey, he won the British Derby in 1910.

Mother, 64, of Wiley Downey, talent manager and music man, died June 5 in Philadelphia.

Father of Jack Lavlin, personal manager of Paul Whiteman, died at his home in St. Louis June 5.

Orch's Goodwill

Continued from page 3

in via the States. Surprising as it is to most North American, who think Cuban and Central American bounce is general throughout Latin America, congest-rhums didn't even start to make the grade here or elsewhere in S. A. until it began appearing in the States.

Brazilian sambas while long popular in Brazil were never heard in the rest of S. A. until Carmen Miranda, in her dancing, introduced Broadway and the publicity (especially the Hollywood buildup which she had) plus the radio and discs spread the beat to Argentina, Chile, Uruguay and the rest of the continent. Usually called "mambo" like "Frenesi" needed Artie Shaw's wux pushing before they began nudging their way up to a place which has just begun to take radio time. One reason jazz hasn't caught on quickly is its explosion in the States when tenor sax and piano. Jazz disc manufacturers like Victor and Odeon have long followed the lead. Usually they have been elocked in the States before importing matrices for local pressing studios. The result is that the same attitude has also been true of publishers.

With regular, short-waving, especially if it's picked up and relayed, committed Louis S. A. listeners will be in a position of getting the fresh breeze just quickly as they get the rest news.

Local bands which usually have had no history among the States had had no other way of knowing what the stuff should sound like, through the air. The result is that the watch if NBC's idea is followed through. Number of bands here already are being sent by the States a few times can practically dictate a carbon copy of any arrangement established by the States, time, talent or inclination for this.

Jazz Too Late

Cuban and Brazilian are now nudging their way up to a place which has just begun to take radio time. One reason jazz hasn't caught on quickly is its explosion in the States when tenor sax and piano. Jazz disc manufacturers like Victor and Odeon have long followed the lead. Usually they have been elocked in the States before importing matrices for local pressing studios. The result is that the same attitude has also been true of publishers.

Great Disc Sale Effect

Effect on disc sales is also likely to be felt by the States. The States have noted in the past that bands most frequently heard on infrequent short-wave stations, but not on the States are those most in demand. Expect that singular airscaping will help take up the lag for fans and musicians like something heard on the air. They will demand it sit around but as anything else, according to the States.

BIRTHS

Mr. and Mrs. Ernest Fortenberry, of New York, June 2. Father's name is in Metro's still camera. The father is Mrs. Bernard Goodman, daughter, in N. Y., May 3. Father is a writer and a cartoonist.

Mr. and Mrs. Rufe Davis, daughter in Santa Monica, Cal. June 5. Father is a writer and a cartoonist.

Mr. and Mrs. Dave Young, daughter's name in San Antonio, June 2. Father is sports announcer for KABC-TV, San Antonio.

Mr. and Mrs. Oscar Kronenberg, daughter, June 6, in New York. Father is a time salesman for WBYN, Brooklyn.

Studio Unions

Continued from page 3

considerable time to discussion of the effect of the retroactive pay on the question of retroactive pay for workers, and demands of actors, directors and writers. The retroactive pay for contract revisions. The company executives are understood to have agreed to meet themselves by notifying employees wage adjustments would be made if they were affected by the decision. Y. Frank Freeman, prexy of the Producers Association, has already discussed the retroactive pay question with the Wage-Hour Division.

The Producers are reported to have asked the Wage-Hour Division of the Screen Actors Guild for reclassification of extra brackets. These brackets, established in 1933 and \$1 calls, establishment of a \$10 or \$150 ticket and placing of a limitation on the amount of extra pay. Counter-proposals will be made to the demands of the Screen Directors Guild, who are reported to be in the contract proposals of the Screen Writers Guild. Meetings with these groups will be arranged this week.

MARRIAGES

Helen Jones to John Lee, in Las Vegas, Nev., May 31. He is public relations director for Screen Actors Guild.

Ruth Weinberg to Gene Newman, in New York, June 10. He is a secretary to Herman Lorber of the Paramount office distribution department; Newman is waiting for a divorce from the theatre chain's investigation department.

Simon Conwell will wed Jean Herbert in New York, June 23; bride an Earl Carroll showgirl; groom a songwriter and publisher.

Richard Russo, in Los Angeles, May 15. She's a film player; he's a composer.

Sylvia Fisher to Tom Allen, June 12, in Columbus. He's a staff announcer on WBNS there.

Yvonne Gagerin to Charles Ray, in Hartford, June 5. He's the former film actor.

Dorothy Fay Southworth to Woodward Maurice Ritter, in Fresno, Calif., scheduled for June 14. Bride is film actress, professionally Dorothy.

Harriet Linehan to Darling E. Skogstrom, in Milwaukee, May 21. She's legit stock and radio actress.

Doris Egan to Tom Combs, in Kansas City, April 19. He was librarian; he is continuity writer for "The Bachelor" on NBC. She made last week of secret marriage.

Gertrude S. Karp to Louis S. Simon, in San Francisco, June 8. He's account executive at KFA, Frisco.

Connie Gagne to Ed Wegman, June 7. She's a radio actress; he's an announcer at WEBB, Buffalo; she's singer at Rochester's WHBC.

Pauline Gabel, in Maplewood, N. J., May 18. Groom is in the publicity department of Mutual Broadcasting Co.

Marjorie Johnson to Ken Carter, stock publicist, June 8, in Las Vegas, Nev. She's daughter of Nunnally Johnson, former CBS producer.

Rosemary Cox, New York socialite, to Leslie Harris, (scheduled for June 11). She is CBS secretary in Miami (WQAM) and Valet correspondent in Florida.

Helen Claire to Dr. Milton Smith, in White Plains, N. Y., May 22. Bride is legit, film and radio actress; he's a dentist.

Judith Allen to Rudolph Field, in New York. Bride is former film actress and now a radio actress; he is a book publisher and radio producer.

Jean Chatterley to William Crawford, June 7. He is a radio announcer to promotion chief of WOR, New York.

Pauline Clarke to Thomas Reilly, June 6, in New York. Bride is a radio actress; he's an NBC director and producer man.

Pan-American Airways

Continued from page 46

Clipper arrival, urged the customers to keep the reporter busy...

Checking official sources, the newspaper quickly tallied Pan-American's contention...

Situation Adjusted
Before the next Clipper arrival, was a situation was adjusted...

As for Selznick and Capra, Kelly said they have been seen by U.A. hopes they will accept...

Little Other Activity
Aside from the gray hairs added to his forehead, Kelly had actively moved in or out of the aerodynamic-the-parway...

Abbott and Costello held reservations on the Monday (8) Stratosliner from Los Angeles...

Allen Jenkins hopes to see the scene Saturday (7) in a United Air Line plane from L. A. to New York...

Murphy and Sherman were to be the U-fliers for the week-end...

Next Nighting
A TWA Stratosliner, scheduled for LaGuardia, ended its flight...

Pedro Calderon, Mexican film distributor, is reported to have made an offer of \$25,000 (Mex) (\$5,000 net) from a contract...

Getting the Lowdown

Author James Street, whose book and magazine fiction are usually located in Mississippi, where he was born, returned to the United States from the week after a 10-month stay in Natchez...

S. A. Suspicion

The week saw Frederick C. Oechsle, a Mexican playwright and screenwriter, and Anna Sten, all of whom came from L. A. to N. Y. The same day, a number of other writers, including Arturo and Carla Toscanini and Maria Sibilex, as musical a trio as any musical trio, left for an Eastern Airline for Miami.

The Pres
When you multiply a bunch of magazines with Yankov advertising and circulate them freely and in the broadest throughout country, the boasted solvency of our national press will be imperiled.

From this you will deduce, distinguishes Ambassador from friend of the North, that it is not our interest that you make good enough of the radio and the press to defend ours, Mr. Fairbanks?

Parloids Envoys
We would prefer that instead of buying space on our broadcasting stations, you should like to give American programs and propaganda, you send us through direct or indirect channels...

Under a subhead 'Goldfish and David' the magazine adds, in part: The "language of the night-boarding" may become dangerous to us although you do not wish us any more of the kind of friendship and the mouse; although she may wish to be very tender to the mouse, with her claws while caressing it.

Article was the strongest of any to appear in the non-Nazi press during the last few months of Hitler's reign...

Leslie Howard

replacing that of 'Call Me Lucky.' Picture stars Vic Oliver and Sarah Churchill, Evelyn Dain, from revue 'The Cuckoo with the Army and the Air Force, has a feature role. General Films will also distribute 'The Cuckoo'...

Literati

Macmillan Lines Up S. American Novelists... Clive Fisher has finished screen-playing "RAF" for Walteranger and is residing in Berkeley, Cal.

Oliver St. John Gogarty doing sequel to his first novel, 'Mad Grandeur,' not yet published.

R. V. Gery, who sold a first novel to Stevestopel, calls writers with a first novel, single sale, to the Morning Glories.

Frank Gervais, in Libya for Columbia Pictures, is a book writer and a collector.

Louis La Coss, member of the St. Louis Globe-Democrat staff for 17 years, appointed editor of the St. Louis Post-Dispatch.

Canada has blocked sale of U.S. news pulps... in Toronto a new book, 'The Night Owl,' was started, but cut out by Superior Magazines, edited by William Brewster...

Legal authorization in Detroit said that it was possible to qualify Valentin as an expert witness...

Unsealed For Taboo
Coronet has scheduled picture on Carl Rogers, California mouthpiece, and 'The Night Owl' by Dan Wistach.

Manaulay-Winchell Settle
a court suit filed suit by The Macaulay Co. against Walter Winchell and the Daily Mirror, Inc., was settled...

last week. He was succeeded by Lewita White, sports editor. Kiefer began career in 1891 with Brooklyn Frele Press and went to New York as a syndicated two years later.

Bill Seabrook on Canadian fishing trip with a group of Rhodebeck, N.Y. neighbors.

Steve Fisher's novel, 'Destroyers,' is slated for July publication by Appleton-Century.

Oliver St. John Gogarty doing sequel to his first novel, 'Mad Grandeur,' not yet published.

Jack Malloy, of the Chicago Herkroputh, is a book writer and a collector.

Frank Gervais, in Libya for Columbia Pictures, is a book writer and a collector.

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Exhibits Hope
Continued from page 46

Highway Department which conducted a survey at key points in Michigan, over the recent holiday season, that 10 per cent of the Michigan States ferries as compared \$1,715,000 for the year 1939. They estimated that Survey traveling is up 30% this year over 1938.

AT THE HEAD OF HIS CLASS! AS USUAL!

Say, what is all this talk
about box-office slump!

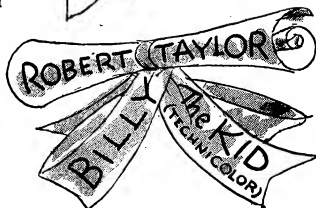


"LOVE CRAZY" BIG!

Hold-overs from Coast-to-Coast (2nd Week) at Capitol, N. Y. Indianapolis • Philadelphia • Seattle • Baltimore • Boston (2 theatres) Columbus • Harrisburg • Dayton • Hartford • Houston • Memphis New Orleans • Providence • Reading • Wilmington • Worcester Toledo • Cincinnati • Milwaukee • San Francisco • Denver • Buffalo Minneapolis • Atlanta • Norfolk • Richmond • St. Louis • Cleveland Detroit • Pittsburgh • Los Angeles (2 theatres)

"BILLY THE KID" OFF TO A FLYING START!

Hold-overs in first engagements (2nd week) at Atlanta • Kansas City • Denver • Cleveland • Buffalo • Detroit • San Francisco • Memphis



And here are the next four weeks of M-G-M's
TO-THE-RESCUE HOT-WEATHER SHOWS!

CLARK GABLE, Rosalind RUSSELL
in "THEY MET IN BOMBAY"

WALLACE BEERY
in "BARNACLE BILL"

MARX BROS. & TONY MARTIN
in the Season's Gala Musical Comedy
"THE BIG STORE"

ANN SOTHERN
in "RINGSIDE MAISIE"

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VOL. 143 NO. 2

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SCREEN AS A CROWD'S

Department Store Circuit Growing; Pay Off Guest Names in Merchandise

A 'department store circuit' for film, legit and nitery celebs—with the payoff mebbe a dress or suit and only occasionally folding money—is in process of formation on two fronts. Although it's not unusual for a store to use an occasional name as a draw for a fashion show, large and organized scale on which celebs are being supplied is a new facet.

Single personality is no longer the thing to draw attention to a fashion display. Show at Oppenheim Collins, N. Y., last Thursday (12), for instance, boasted Glenda Farrell, Alan Dinehart and Lyle Talbot, all in 'Separate Rooms,' Broadway Leigler; Gertrude Niesen, currently at Leon's State; Lyle Mortimer, film critic and columnist of the New York Mirror; Eddie Davis, of Leon and Eddie's, 63rd street nitery; Gowet and Jeanne, ballroomologists at Ben Marden's Riviera, and Broadway Sam and other nitery broker Sam Roth. Jean Sablon, French nitery personality, currently (Continued on page 18)

Former Baseball Pitcher, Walter Brown, Now Is Highbrow Concert Exec

Walter Paige Brown, former pitcher for the N. Y. Giants and Boston Red Sox, has been appointed southern representative for Columbia Concerts Corp. Brown has been with Columbia five years since his retirement from baseball in 1935. He is not to be confused with Walter 'Jumbo' Brown, present relief pitcher for the N. Y. Giants.

LICORICE VIRTUOSOS' MANY LONGHAIR DATES

Benny Goodman is mulling the idea of sidetracking normal dance band work for several short periods each year, devoting the time to catching up on proffered classical dates. Since his guest work at Carnegie and Town Hall, New York, and in other cities with nationally known symphonies, quartets and soloists, demand for Goodman's longhair appearances has grown considerably.

Telling the Trade

'Grand Central Station' program (Lambert & Feaster) on June 10 told the story of an ex-vaudeville dog act finally. Al Shean played the part. After many tribulations he finally got a job as master of a millionaire's kennels. In the radio script he rushes to tell his wife, crying: 'And ma—the first thing we do, we put an advertisement in VARIETY.'

FILM BIZ N. G., DANCERIES OK

In contrast to the complaints of film exhibitors the country over that business is seriously declining despite a flood of defense money being circulated, operators of one-night ballrooms, bars, etc. (where name bands are finding the current season the biggest they've encountered in several years), almost every one of the better known ballrooms in the east, midwest and the south are reporting improvement and some instances spots that formerly opened weekends only are running profitable mid-week promotions.

Dialog Phonograph Discs Due for Public Revival; Comedy Routines Selling

Record-minded public may again support novelty discs of the 'Two Black Crows' (Moran and Mack) school, and for that reason every company is now going in for albums, 'theme' series, etc., ranging from Merle Evans' 'A Day at the Circus' (Eliot and Bailey-Bunting bandmaster) to monologs by Reggie Gardiner and Eddie Cantor.

BOOM TALKY COMEBACK

Columbia Books singer with Bacalloni for Prestige. Columbia Concerts Corp., in an effort to boost the stock of Marion Talley's comeback, has booked her to appear in joint recital with Salvatore Bacalloni in suburban New York in the fall. The basso is Columbia's biggest draw, and the house will be sold out on his name in all probability.

RADIO USING 'EM FOR QUIZ PRIZES

'Separate Rooms,' Broadway Legit, Pays Off 25% of Cast's Salaries in Defense Bonds, 75% in Cash—Defense Stamps for Smaller Compensations

'FORCED SAVINGS'

With the United States Treasury formally asked by the Canadian government, there appears to be a growing tendency in show business and radio to substitute Defense Bonds for cash in prizes, premiums, bonuses and, in at least one reported case, as part payment of actors' salaries. Separate Rooms,' at the Plymouth theatre, New York, has adopted the rule that 75% salary is paid in cash and one-quarter in Bonds. It's general manager, Ben Stein's idea.

SONG-PLUGGING GOVERNMENT

Ottawa, June 17. Canadian bandleaders have been formally asked by the Canadian government to play at least twice a night wherever they are, a new tune published by Peet Music in New York. Titled 'Under Canadian Skies,' the melody has been adopted by Canada as a theme tune in its attempt to recover tourist biz from the U. S. frightened away by stories of band difficulties, etc. in action and out of the Dominion.

NEGRO COLLEGE BAND JOINS ARMY EN MASSE

New Orleans, June 17. An entire Negro college swing band was inducted into the army at Camp Claiborne, La., Tuesday. Culminating weeks of negotiations with state selective service officials, the orchestra from Alcorn Agricultural and Mechanical College, volunteered en masse. Now the boys hope to spend the 367th Infantry's overseas assignment which will include the collegians since they had no band of their own up to now.

Selznick Packaging Odd-Length Briefs as One Means to K.O. Duals

Borscht on B'way

One of Broadway's open-fronted theatres has acquired a new flavor in thirst-quenchers. It's labeled, 'Borscht-O-Cola.'

JIM FARLEY AS 'CZAR OF RADIO'

Out of the current hearing by the Senate Interstate Commerce Committee on the White Resolution on an investigation of the FCC may come a decision by the broadcasting industry to appoint for itself 'czar' of the Will Hays type. Intimations of a move in that direction have emanated during the past week from both NBC and CBS sources, with the topic reported to be gaining more substance with each broadcaster meeting in Washington where industry strategy is discussed. The person most frequently mentioned for this post is James A. Farley, former postmaster general.

Nab Edward Vanderfeld, An American, As Nazi Radio Station Pirate

Mexico City, June 17. Government agents have raided a palatial residence here and captured one Edward W. Vanderfeld, and Senora Maria Luisa Yarse, a Mexican, who are jointly accused of operating an illegal radio station. This pirate transmitter and listening post allegedly tapped government communications and passed information to Nazi espionage sources.

COCA-COLA'S FANCY VOICES

Lily Fons Set for \$500—Paul Robeson Gets \$2,500 June 23. Atlanta, June 17. Lily Fons will inaugurate the Coca-Cola program on the fall on Sept. 28. The Met coloratura will receive \$5,000. McMannte Paul Robeson has been set for the Coca-Cola program of June 20. He also has a fall deal with the radio show. The Negro baritone will receive \$2,500 per shot.

Hollywood, June 17. David O. Selznick is reading a new form of attack on the double feature, a package deal of odd-length stories, ranging from 500 to 5,000 feet, to be sold in one group dealing about 13,000 feet. Idea is to hand out a balanced program, along with a newswet, about 3,000 feet shorter than the customary double bill.

Hoover Dies for a Gag, Only This Time It Was A Bear in Ugly Mood

Detroit, June 17. Trying to give his night club a lift with a bear proved fatal to Tom Miller, 29-year-old hooper. Doubling between daytime employment at the Lee Union Store, a carnival playing here, and nighttime appearance in floor shows, Miller tried to prevail on Capt. William Callender, owner of Teddy, a 450-pound Canadian brown bear, to let him take the animal along as a gag with his act.

PITT HALTS B.B. GAME FOR CONN FITE AIRING

Pittsburgh, June 17. Not only will the broadcast of the Pirate-Giants game here tomorrow night (18) be interrupted during the blow-by-blow account of the Joe Louis-Billy Conn fight over the air, but Pittsburgh's game itself. First time management of local National League entry has ever taken such courtesy step and he refused agent, but Pirates decided that since Conn is a Pittsburgh boy, if they wanted anybody at all to be returned agent, they'd have to do something about it. So the baseball club announced that loudspeakers would be hooked up at Forbes Field and that as soon as the fight began, the ball game would stop. The decision was the conclusion of the heavyweight bout. At the same time, WWWS, which airs the Pirate game, will have a recess, too, and go in for musical transcriptions.

Leave It to H'wood to Send Gaudiest Name Show to Play for Soldiers

Del Monte, Cal., June 17. General, colonels and majors as well as privates turned out in other like juvenile aviating-hunters in order to gander visiting film shows by Hollywood stars and entertain trainees at Camp Hunter Liggett and Fort Ord. There "break" was given to the "show," it may point the way for more such entertainment projects.

Headed by Jack Benny for the Hollywood line represented the costliest and sturdiest name lineup yet to appear in an army camp. Although just recovering from the flu, Benny set out on the 700-mile trip to serve as an army camp. He was invited to substitute, but Benny improved enough later to split the assignment.

The Hollywood agents and producers until a fund is created to reimburse them, or provide for future ventures of the sort. Included in the line-up of screen players were Marlene Dietrich, Claudette Colbert, Burns and Allen, Mary Livingston, Rochester, Ritz Brothers, Ray Bol- (Continued on page 15)

JUST CONSERVATIVE

British Censor's Premises Disappeared' (Blitted Out)

Quarters of the British censor board in London were demolished by a Nazi bomb last month. It was reported in a letter received in N. Y. this week. No word of the loss had come from the British capital until it was reported by Jack Benny to a film company home office.

This note, the epitome of British understatement, follows in part: "I probably will be several weeks before we can get our picture taken care of by the Censor Board. It will not be functioning normally for several weeks because the premises disappeared the other night."

PASCAL WANTS MUNI FOR GALICCO YARN

Gabriel Pascal is negotiating with Paul Muni for top role in "Snow Goose," the Paul Gallico yarn which he will begin filming in Montreal in about seven weeks. About half the picture will be shot on Hudson's Bay location.

Pascal will leave at the beginning of July for a week in England confabbing with George Bernard Shaw, "Millionsaires" will probably be Pascal's next.

Hope, Carroll Team in Yarn by Vallee Writers

Hollywood, June 17. Bob Hope and Madeline Carroll team up in "Snowball in Hell," a comedy slated for October production at Paramount.

Picture deals with a British femme secret agent and an American vaude comic. Yarn was concocted by two radio writers, Norman Panama and Melvin Frank, who will up script for Rudy Vallee's "Seaside" show.

Bowes' Appendency

Major Edward Bowes underwent an emergency appendency yesterday in New London, Conn., where he is in N. Y., forcing his Thursday night amateur hour for Chrysler off the air until his recovery.

It will be the first time the program has failed to go on in 327 broadcasts.

P.S. 44 Meets Harvard

Billy Rose has now reached the academic catwalks. The showman, whose scholastic career ended at P.S. 44 in the Bronx, addressed the Harvard Club of New York at luncheon yesterday (Tuesday) on "Showmanship and Business."

Steve Clow, Former B'way Scandal Sheet Publisher, Dies Obscurely in N. Y.

Death of Steve Clow, who was around 88, recently in Bellevue hospital, died after passing interest on Broadway for his questionable activities belonged to another generation. He conducted a monthly magazine known as Broadway Brevities which was supposed to uncover petty rackets but the regulation of the rag was odorous. Publication specialized in printing or threatening to use photos and stories about the private lives of personalities in and out of show business during the speakasy era.

The fan finally caught up with Clow. He was convicted in Atlanta, Georgia, in 1934 for the Atlanta, Georgia, and information supplied by Peggy Hoffman. Clow was credited with resulting in Clow's incarceration. He or persons on his staff "had" repeatedly reported at (Continued on page 25)

Rice to H'wood to Work On Another Guy's Yarn

Hollywood, June 17. Elmer Rice is moving into the Paramount to work on the screenplay for "The Night Train," his musical story to be produced and directed by Mark Sandrich.

Rice worked on the first "The Guy" film and served about 18 months in Atlanta. Testimony and information supplied by Peggy Hoffman. Clow was credited with resulting in Clow's incarceration. He or persons on his staff "had" repeatedly reported at (Continued on page 25)

Everett Crosby Has Rights To Italian Puccini Musical

Everett Crosby has acquired the rights to the Italian film, "The Boy of Buttery," including all of Ricordi's rights to the Puccini music, which is being arranged to peddle it on the Coast.

Reported asking \$75,000.

STALL BERNHARDT BIOG

U. S. Antipathy to France At Present the Reason of Block-

Lysiane Bernhardt, granddaughter of the "Divine Sarah," arrived last week in New York from Lisbon via the British West Indies, following the British contract taking the S. S. Winnipeg in tow. Latter was to have anchored at Martinique, but suspected fifth-column Germans caused the interruption of their journey on the high seas just before making the French West Indies port in New York. Mile Bernhardt, who is married to a writer, has script, but will defer her present intention of a screen bio on Sarah Bernhardt until history has been more sympathetic U. S. stance towards anything Franciscan. Irvin Kershaw, who has written the script, will be in an inopportune occasion.

W. Colston Leight mentime will manage a lecture tour.

RKO Pacts Ray Collins

Ray Collins, radio and legit character actor, has been signed to an RKO contract and reports at the studio Aug. 1. He has a five-year deal calling for six pictures a year, with one-year options. His first assignment isn't set.

He'll leave for the Coast by motor with his wife about July 20. Only previous film appearance was in "Citizen Kane." He left the party in the winter after he was "son" at St. James, N. Y., last week, being succeeded by Jack Barry.

THE BERLE-ING POINT

By Milton Berle

What a crowd the day I opened at the Paramount! The lobby was packed, I thought it would never get any bigger.

After the first show I walked out of the stage door and it was jammed with people waving fountain pens at me... they wanted ink.

They wanted me to put the ink on me this week in the theatre... my bank book is black-and-blue.

The Paramount is so big, Vincent Lopez and his boys play here in the morning and come back in the afternoon to the theatre.

Broadway Dept.

Jack Zee, my stooge—the one who burst a bortsch veschel—is having himself measured for a skin four.

Just found out Broadway Rose has a big following—the Times Square Cop!

Well, Weinstein knows an agent who is 100% agent—10% agent and 90% disliked.

Between shows caught a picture on Broadway that was so bad, the star stepped out of character and apologized to the audience.

Insomnia Note: Before Peggy Joyce goes to bed at night; she doesn't count sheep—she counts husbands!

Hollywoodiana

Congress is trying to pass a law honoring John Barrymore. They're setting aside August 8 as "Ballantine's Day."

They're talking not only actresses in Hollywood who doesn't have to worry about men. Every year the kids with an "Oscar."

Bob Hope writes me that he knows an actor who thinks he's so terrific, he even smokes Sensation Cigarettes.

There's an extra in Hollywood who played in "Night Train," "A Night in Lisbon" and "That Night in Rio." She just quit the business because she couldn't stand it night work.

Muslo Dept.

Do you think E.M.I. songs will bring the chart races? Just wrote a new song for the Gaiety Bureau; "Inter-Insky."

Radio Dept.

A certain New York kidnaping company is sponsoring a new radio show called "Billious the Kid."

Jack Rosenberg (the 802 rep) knows a radio band leader who knows music backwards and plays it the same way as the same.

There's No Truth to the Bander

That Jimmy Durante rents his nose out for pole-vaulting events... That Harry James the trumpeter, used to play in an Army and Navy Store... That John Swallow of N.B.C. got on invitation to come to Capitano... That Adolphe Meninger drinks out of a mustache cup...

Shirley Temple: Milton Doljar baby... Shuberts: Let the People... My Mother: Zieffler Berle... Broadway Rose: Not So Fragrant Vagabond

Just met an actor from Hollywood who is so exclusive, even the water on his knee is distilled.

He's being drafted in the Army if it's to protect the women and children in America. In fact, I know just the woman I want to protect—Madeleine Carroll.

Eavesdropped at La Conga: "He married a very striking woman—and he has black and blue marks to prove it!"

Eavesdropped at Stork Club: "That damned Why, she looks like a professional 'side date'!"

My brother (the Inventive one) just found out how to catch a rat. You hide in the kitchen and make a noise like a piece of cheese.

Fun and Bubbles Dodge City Four
Alexander Carr's April Showers Dalton & Craig
Lewis & Moore Tower & Weigh

Afterpiece

Hollywood is the only place in the world where you don't have to be a genius to be a genius.

Actress Mary Lawson, Husband Killed in Nazi Bombing of Liverpool

London, May 29. Mary Lawson, 50, British stage and film actress, was killed recently with her husband, Francis Beaumont, during the raid on Liverpool.

Originally a concert, then cabaret singer, Miss Lawson made her first movie appearance in "The Great Dictator" at the Carlton, London, in 1928, when she replaced Zelma O'Neal. She toured Australia starting in Liverpool, and returned to London where she played in "White Horse Inn" and "Carnegie" at the Adelphi.

She appeared in a number of films. At one time she was engaged to marry Ferdy Perry, the tennis ace, whose husband was on leave from the Air Force.

S. J. Warrington, 56, British stage and radio actor, was killed in London May 10 while helping to put out incendiary bombs. At one time he was a journalist, but had been an actor over 30 years, playing many dramatic roles both in England and in the U. S. His most recent work was on the radio in the Inspector Hornleigh series of crime stories.

Earl of Suffolk, husband of former dancer Millicent Crawford, was killed during a recent air raid. Leaves two sons and a daughter.

Strawhating At Santa Barbara To Season Players, Ferret Pic Yarns

Santa Barbara, June 17. David O. Selznick gives strawhating this summer, with a lease on the Santa Barbara, John Stahl as production associate and a stock company comprising his own Hollywood contract players, supplied by picture and stage names. Idea is to produce a program of weekly leggy, leggy sketches with give away players an opportunity to act during the hot months without hopping across the country.

Name of the outfit is the Holy-Two Summer Theatre, designed to encourage young actors and screen writers with ambitions to turn out stage dramas. Part of the plan is to discover new plays which may eventually show up on the screen.

Selznick calls for weekly appearances of Selznick contract players, among whom are Ingrid Bergman, Joan Fontaine, Alan Marshall and Vivien Leigh, if she returns from London in time for the summer season. Selznick's new talent division will be maintained in Selznick's New York office in charge of Katherine Bruner.

Selznick said shows that click in Santa Barbara would be routed to other countries. Shows played on Broadway. He figures that by the time they reach New York he would be a good audience.

He will handle all financing of such shows.

THREE 20TH SCOUTS ON TRAIL OF BARN TALENT

Hollywood, June 17. Strawhating talent is getting more than a once-over by 20th-Fox scouts this year, with three observers looking over the country from coast to coast.

Joe Holton is assigned to scan the pastoral drama in Massachusetts, Connecticut and Rhode Island; Charles G. West in Maryland, Hampshire, Vermont, Pennsylvania and Maryland; and Ivan Kahn on the West Coast.

Cantor's Air Shows

Eddie Cantor, who winds up his Radio-Mixers series June 25, heads for the Coast to recruit a troupe to play a number of shows at various army camps. He has no other definite plans for the summer.

Cantor's plans to appear in a picture, and he also would like to do a Broadway musical in October or November, but he has no commitments, that depending on suitable material.

Lil Harvey Clippers Into N. Y.; Execs Fly in for RKO Parley; Other Skyliners

L. A. to N. Y.

By GEORGE FROST

Blonde and beautiful, British and blue-garbed, battered and bejeweled Lilian Harvey, English film star, flew into LaGuardia Field, New York, about the weekend Dixie Cupper, Pan-American Airways' flying boat, direct from the stage where mankind is offering the world's mightiest production featuring blacks, blackouts, black and white battles and beautiful bedeviling.

Framed in the glitter of 'his said, \$100,000 worth of diamonds, sapphires, emeralds and topazes, and supported on a pair of brand new crutches, Miss Harvey, between generous smiles for the cameramen, explained that she broke her right leg.

(Continued on page 54)

N. Y. to L. A.

Barney Balaban, Victor Brun, Dickenson Church, Vyrna Donner, Sylvia Fairbanks, Bernard Hart, Russell Holman, Florence Lake, Sam Levene, Hiet Lewis, Sol A. Rosenblatt, Martha Tilton, Adolph Zukor.

SAHLINGS

June 20 ("New York to Maracabo") Alvaro Reyes (Santa Elena).
June 14 (New York to Luzon) Francisco Jose Bell (William Luckhart to a beach).
June 14 (West Indies Islands) Fred Schanz, Fred Schanz, 34 (Kimschholm).

KANIN INTO XHAKI

Hollywood, June 17. Garson Kanin directs himself to a Xhaki uniform June 25.

His merger received a week's deferral to wind up his affairs.

MOVIE NEWS

Scores the Hollywood Formula

Hollywood, June 17. Hollywood's formula for South American pictures and South American picture for living don't quite bite, according to Harold Daniels, author of the original story produced by RKO under the title, "They Met in Argentina." Daniels spent months in Argentina studying the moods and customs of the people before he started writing his story. It was characteristically South American when he sold the story to Lou Brock, producer. "But when I saw the preview," he asserted, "I'd like to recognize of my brainchild was the game of Rio Polo. All those familiar touches that the Argentines would have sold when I have been tossed out. I guess the formula boys of Hollywood don't like stories written by those who know the South American people and who are trying to create friendly feelings south of the border.

Daniels has not been called in for a Spanish-language remake of the picture for the Latin-American trade. Hollywood critics who praise the North American version are not not about it in any language.

Lack of Interest, Rush of Work Keep Film Names From Strawhatting in East

Hollywood, June 17. Strawhatting in the cow barns of New England and other points along the eastern seaboard holds little attraction for the pampered sons and daughters of the movies. The canvases of the studios disclose that few film players will illumine the barnyard with the drama with their glamour or talent.

Were it not that Hollywood summer production is rushing along at a feverish pitch, the list of those exhibiting their talents in the cowshed would be far more imposing than what now obtains. Then there's the alighting of the barnyard upon the death California "millitantes against any sizable exodus east now that straw skimmers are topping off the summer flannel ensemble.

Time was when studios gave a theatre a picture and they acted as training grounds for their young stock players. It's still a thought, but it's not a reality in the straw hat impresario. Names they (Continued on page 55)

WILL HAYS LEAVES CHICAGO HOSPITAL.

Will Hays left the Chicago hospital, where he has been confined since late in April, Monday (16). He is going to his home in Sullivan, Ind., for an additional rest although he may be back at his New York office by early next week. He plans a trip to the Coast after his N. Y. visit.

Hays went into the Chicago hospital for a complete physical check-up, an infected throat and pneumonia, afterwards a siege with his last winter, causing him to remain more than six weeks. His doctor reports complete recovery.

Numerous vital matters are due to come before Hays for consideration of the Motion Picture Producers & Distributors production code administration setup, frozen during the past winter, and possibly outlining some method for pulmonary the sagging cinema boxoffice.

How Many Is Par at Par?

Hollywood, June 17. Katharine Booth, new contractee at Paramount, is heading for plenty of film, with four pictures in the offing.

Assignments are "Glamour Boy," "Sing a Song of Basin," "Leap the Wild Wind" and "Louisiana Purchase."

SCREENTESTING LINA ROMAY

Mexican Girl With Cugat Before 20th-Fox Camera

Lina Romay, vocalista with the Xavier Cugat orchestra, has been screened by 20th-Fox. She was formerly known as Joseette, when with Horace Heidt. She's daughter of a Mexican consul official stationed in New York.

Cugat is at Waldorf hotel, New York.

BUT WAR DEPT. GOES TO REA

'Bottlenecks of 1941' Fort Monmouth Soldier Review, Eyed by WB's Jake Wilk as a B'way Possibility

'YIP YAPHANK' YEN

Fort Monmouth, N. J., June 17. Warrens Eric is understood to have exhibited interest in bringing to Broadway and possibly the screen bottlenecks of 1941 the soldier show staged by the Fort Monmouth Signal Corps staff at nearby Red Bank last week. Jake Wilk, WB's eastern studio rep, is said to have made overtures which are yet in a very preliminary stage.

Number of other Broadway production (Continued on page 54)

Reynolds Running Out of Countries To Be Barred From

(Collier's war correspondent's letter to his New York agent, Mark Hanna.)

BY QUENTIN REYNOLDS

London, May 15. We had a blitz that was all the others look silly. Around three in the morning I was woken by the bombs. (This was the blitz of Saturday, May 10). Fires were all over. I'd been up on the Hotel Savoy for a few moments but the sleet was so thick and the bombs too close that I was in the shelter here. It is open all night for the correspondents who live in the Savoy—strictly legal. We have food and drinks there whenever we want. I went down there and most of the boys were there. Actually, it's one night up and as a shelter they also have a few tables but we've made it our headquarters (Continued on page 55)

CONCERT STARS SUMMER AROUND FILM COLONY

Hollywood, June 17. Among some of the concert personalities coming in California are Josef Hofmann and Jascha Heifetz, who only home near Balboa (Newport Beach), toward Bartlett Parsons, who only home near Balboa and Rae Robertson, who on conclusion of their Honolulu engagements will visit Los Angeles next week. They will roll, now in Vancouver, where he has a house for the summer, will visit Los Angeles next week. They will roll, now in Vancouver, where he has a house for the summer, will visit Los Angeles next week. They will roll, now in Vancouver, where he has a house for the summer, will visit Los Angeles next week.

COLUMBIAN'S PRESS AGENT

Hollywood, June 17. Hollywood, which figured it had seen everything, did a double take last week when it learned that Bert Parsons has a press agent, Arthur Edd, handing out copy on the spot.

Picture mob figures her personal coverage isn't widespread enough to make her newsworthy.

Non-Bullish Television Outlook

Because of doubt as to obtaining equipment, television for theatres is still regarded by insiders in both films and television quarters as a long distance off, particularly if it was a conditions and defense tie things up for any appreciable length of time.

At present there isn't enough material on hand to take care of more than half-dozen theatres, whereas a year ago new availability of material will be more questionable in the light of defense planning. Only two theatres have so far signed up for receiving apparatus in theatres, the Rialto and Little Carnegie, N. Y., both all-players. Former has signed for Scophony (British), the other house for RCA.

RCA will install a theatre for \$30,000, while DuMont, which has set no price as yet, will do it ultimately for the same amount.

In addition, a theatre will have to figure cost of additional operators (ready untrained), wire charges and program service.

RCA is reported to have around 1,300 25-line receivers ready for sale, while DuMont has perhaps 500. They range in price from \$99.50 to \$285 for RCA, \$255 to \$375 for DuMont.

Lifetime Studio Job for Songwriter Who Can Get Pic Tunes on Major Nets

Saratoga Wide Open?

Saratoga looks forward to a more liberal August racing season this summer, more so than has obtained in recent years and the boys are going on the nut for fancy shows in the major roadhouses. Piping Rock pool has been leased into Tin Pan Alley and one or two top tunesmiths are said to be interested. They figure it's worth a gamble even though their loyalty to ASCAP may be questionable.

Understood studio heads have grapedvine the word that the one who comes through with solution to the problem goes on the payroll for life, or rather the life of Fox and the unusual grosses of musicals. Since first of the year, when the broadcasters broke with ASCAP, not a single musical has earned its keep and the red mears are said to be broad and scarlet.

John Golden has hatched an idea to overcome the music embargo that, according to some, has a modicum of merit and would, in fact, in court. Issue would be for the musical, a songwriter or team under a strict employment contract. By that process, every tune turned out would be automatically turned out.

JOHN GOLDEN PROPOSES OAKLIES FOR SOLDIERS

Number of legat managers were asked to attend a meeting on defense called by Mayor La Guardia last week. The meeting was delayed and few attended. John Golden was present, however, and proposed that a show in uniform be staged gratis. That idea as a test of managers' patriotism hardly met with approval. Other showmen, as it meant virtually indiscriminate free admissions.

Managers who said that Golden had not been designated to represent them proposed other plans for men in the services, such as connection in ticket prices or block invitations to various regiment members when in New York on leave.

Plan 45th St. Block Party for Brit. Relief

There are plans for a block party to be held on 45th street between Broadway and Eighth avenue, New York, for the benefit of British War Relief. Participants will include the cast of all shows, but so far no permit has been secured.

There are more legit theatres open in the services, such as connection in ticket prices or block invitations to various regiment members when in New York on leave.

REUNITE MOORE-BARTLETT

Screen Lovers to Sing in Cincinnati Summer 'Mamoo'

The screen lovers of "One Night of Love" will be reunited in Cincinnati this summer when Grace Moore will play the role of "Mamoo" opposite the Desi Crique of Michael Bartlett.

"One Night of Love" that made Miss Moore the b.o. attraction she is today, and also gave Bartlett a start in the concert field.

Hollywood, June 17.

There's a lifetime job at 20th-Fox for the songwriter who can figure out a way of getting his tunes into one of the studio's musicals played on all the major networks. Reported producer has leaked into Tin Pan Alley and one or two top tunesmiths are said to be interested. They figure it's worth a gamble even though their loyalty to ASCAP may be questionable.

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DAVID WARREN
Published in Hollywood by
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Goldwyn Blames Exhibitors For Slump; Calls Em 'Sloppy Showmen'

Los Angeles, June 17. Samuel Goldwyn went on a rampage at the meeting of the Producers Association, called last week at the request of Spyros Skouras to discuss plans for alleviating the box office slump by more screen star personal appearances, and leveled both barrels at what he considered the real ills of the industry. Goldwyn, with David O. Selznick and Walter Wanger backing him, tore into the exhibition end of the business for looking to Hollywood to provide a remedy for sloppy showmanship, flayed giveaway, bank nights and distribution-method pointed to double billing as the root of evils besetting independent producers, and called for a change of studio operating methods.

Meeting turned into a boomerang for Skouras, in that the operators were accused of refusing to cooperate in the matter of double billing. But the glare of blinding criticism was focused equally on major studio methods, with Goldwyn warning that the leading independent producers in Hollywood were up in arms.

Y. Frank Freeman was given the task of appointing a committee to coordinate the various elements of the industry with the operators, basing advice on best-of conditions.

MONSTERS WILL ROAM AGAIN IN RKO 'GWANG'

Hollywood, June 17. Prehistoric yarn, "Gwang," based on the imaginary discovery of an ancient life on a southwestern mesa, is being readied at RKO, with a heavy budget to take care of spectacular effects.

Fantasy calls for a six-month production schedule, with Gene Markey and Willis O'Brien as producers and Jerry Cady doing the screen-play. The picture hooks up modern and antediluvian life through a cow-boy's discovery of skeletons on the mesa.

Basques Come Out Of Hills For 20th Film

Hollywood, June 17. "Basquerie," a romantic yarn of the Basques, who have lived their independent hillbilly lives in the Pyrenees for centuries, is being readied at Walter Morosco production at 20th-Fox.

Picture is based on a story by Eleanor Mercen, novelist, with Lee Lobb and Harold Buchman scripting.

Jane in Social Whirl

Hollywood, June 17. Jane Withers initiates her new contract at 20th-Fox as the star of "John Doe," with Ethel Hill scripting a willage story by John DeWey.

"DeWey" moves into the production schedule ahead of "Young America," a 4-F Club tale of young farmers, originally slated as her first starring under the recent pact.

Bloch at 20th

Bertram Bloch was named New York story editor for 20th-Fox last week in an announcement by Joseph B. Goldwyn, executive representative of the company. Bloch succeeds the late Franklin Unerwood.

Bloch formerly was associated with Metro in a similar capacity, and also served as story editor for Samuel Goldwyn. He appoints Joseph Klingler assistant story editor this week.

CARLSON OBLIVES

Hollywood, June 17. Richard Carlson moved in to the top male role in RKO's "Obiging Young Lady," taking over the job originally slated for John H. Columbia, holding a two-picture commitment on Howard, told him he would be needed there in two weeks.

Goldwyn's Pledge

Hollywood, June 17. Samuel Goldwyn met with Coast Independent theatre operators yesterday (Monday) and pledged support for their move to eliminate double billing.

Producer told the exhibitors to formulate a program and he would be glad to lend a hand, who is leading the fight against double-features, in forcing a showdown on the issue.

Tycoons Overlook Pix And Radio in Self-Poll Among Top U.S. Execs

Picture and radio company executives were entirely overlooked, excepting in the matter of top salaries, in the management poll recently conducted by Fiduciary Company, reports of which went to several film executives last week.

The poll, reputed to be the first of its kind ever conducted, was made to determine which corporate managements and individual business executives were most highly regarded for their ability in the U. S. Poll was made on the theory that the best judges of ability are the men who have been successful; hence letters were sent to 581 presidents of corporations having securities listed on the N. Y. stock exchange.

Of the 40 executives named as having high ability the closest picture man was Frank W. Lovejoy, chairman of Eastman Kodak, placed fifth on the list; and Walter S. Gifford, head of American Telephone & Telegraph, who was named fifth on the list. Alfred P. Sloan, president of General Motors, was named first. Presidents of Lever Bros. and Procter & Gamble, Louis B. Mayer, Hunt Stromberg and Nicholas M. Schenck, all of whom were spots on the list of 12 highest paid executives which averaged those with salaries of \$200,000 or more in 1940.

Summation of the poll brought the comment that "the majority of those having highest rating for ability are engaged in basic lines of industry of an essential nature while many of the highest paid executives are engaged in field where selling and advertising are most important."

PAR EXECS TO TORONTO FOR F. F.-CAN. HUDDLES

Returning from the Coast Friday (13), Leonard H. Goldenson and Sam Dembow, Jr., Par theatre executives, left immediately for Canada to confer with J. P. Fitzgerald, president of Famous Players-Canadian, and others. They also attended the Canadian district sales meeting held in part of the highest paid executives duo is expected back today (Wed.) or tomorrow.

Goldenson had planned coming down to New York, but couldn't make it, though he will probably check in shortly to discuss summer plans, policy, etc.

~ Night Repeats at U

Hollywood, June 17. William Nigh, who recently completed his directorial chore on "Moby Town" at Universal, has been held over for another job.

Directed picture, still untitled, features Andy Devine and Lou Carrillo.

20th's Coin Board Meets

Directors and the financial committee of 20th-Fox met last Thursday afternoon to discuss the industry's problems.

It was the first meeting since Herman G. Pines, former Chicago bank vice-president, was elected chairman of the executive committee.

F.&M. POLLING ON DUAL FILMS

St. Louis, June 17. A poll is being conducted by H. C. Reigel, Jr., managing director of the Fanchon & Marco-owned St. Louis, to determine the sentiment on a bill pending in the Missouri Legislature which makes mandatory an intermission after each two and one-half hours of film program in theater houses.

What potential customers think of single, double and triple intermissions, serials, giveaways and one or two short subject programs is being obtained by questionnaire.

Poll is being made in a residential district from which the St. Louis, Mo. houses draw a greater portion of its patronage. To expedite the work of personal canvassers a "bonus" district for one admittance to the cinema house, is given to those who answer all the questions. It is anticipated that the residential poll, in contacting service and personnel organizations which cover employes of large establishments and their families. The intermission measure is being supported by the Better Films Council of Greater St. Louis.

JACK BARRY PERS OF MILLS CO.'S MINOCO

John F. Barry, who resigned last week after 10 years at the helm of vice executive at Paramount, has been elected president of Minoco Productions, Inc., a film producing subsidiary of Mills Novelty Co. In announcing the election, Fred Mills, president of the parent company, said that Minoco will extend its production plans which heretofore have been confined chiefly to short subjects for Panoram, coin-operated sound on film machine.

Barry will be in charge of operations in New York, Chicago and Hollywood and will initiate short subjects for production for the theatrical market on standard and sub-standard widths.

Barry in recent years at Paramount developed distribution in channels non-competitive with theaters in schools, shut-in institutions and U. S. military services.

Zanuck's D.C. Call

Hollywood, June 17. Leut.-Col. Darryl Zanuck has come to Washington to turn over completed training films to the War Dept. and confer on further production of training films.

Capt. Gordon Mitchell, of the Army Signal Corps Reserves, accompanied him.

Wanted, a Mesquiteer

Hollywood, June 17. One of the original Three Mesquiteers, Tom Livingston, moved out of the Republic lot after five years with the galloping tri.

Studio is clerking for a third Mesquiteer to ride with Tom and Rufe Davis in the next picture, "Empty Saddles," slated to start filming July 7, with Lou Gray as associate producer.

H'wood Agrees Scuttling of 'B' Pix Would Give Ticket Rolls Baster Spin

No Cag Now

Syracuse, June 17. Remember the gas about big being so poor you could hunt deer in the house? Well, in Watertown, N. Y., last week, a deer frightened out of nearby woods by a fire locomotive was shot by a local business district, because so confused by traffic it smashed through glass doorway of the Victoria theatre. Animal plunged down a flight of stairs into lobby.

Police made up a hunting party which found the deer in the house and led it to safety.

U. S. Freeze on Axis Coin, And Vice Versa, Will Hit Show Biz But Little

Freezing of Italian and German funds in the U. S. by the American government will affect only a few slivers of film program in the wood payrolls, while Italy's freeze of American funds in that country will have little or no effect on American companies. Anticipated freezing of U. S. funds by Germany in that nation, which has been expected to do likewise is expected to have little effect since nearly all American distributors quit at Hitler's request in these countries six or eight months ago, and have been liquidating all properties and wealth rapidly since then.

Freeze by the U. S. order would hit German and Italian film companies, of which there are few at the present time. It means that each dollar would be allowed only \$50 per month maximum amount, and then to must account to the American government for the balance, so as to how he spends this coin. This order is placed in effect to prevent any German getting back to Italy or Germany.

Because of four large major companies having offices in Italy gave up properties in that country in 1938, the actual liquidation of all properties was concluded some time ago, hence, any film company pay loss by the freezing order of the Italian government would be negligible.

SHURLOCK TO CARRY ON PRO TEM FOR JOE BREEN

While Will Hays is expected back in New York in the next 10 days, it now appears dubious if any successor to Joseph I. Breen, head of the Motion Picture Production and Distribution Ass'n production code administration, will be named for some time.

It is understood that the code officers were that Geoffrey Shurlock, Breen's first assistant, would carry on as long as the code is in effect without any official change in his status.

Under this temporary setup, he would preside at the daily meetings of the code committee, but as he did when Breen was unable to attend. This board would carry on as in the past, with two members assigned to a feature. Shurlock thus would serve as acting PCA head until the new MPEDA decides on a Breen successor, with no immediate appointment in sight.

Farrell Back in Pix

Charles Farrell, away from pictures for two years, comes back playing the male lead opposite June Lang in "The Deadly Game" for Monogram release.

Picture, starting this week, is being produced by Dixon Harwin and Barry Searock.

LOEW'S REGULAR DIVVY

Loew's directors declared a 50c dividend on the common shares at a meeting held last week. Divvy is payable June 30 to stockholders on record June 20. Declaration maintains the annual \$3 rate on the common.

By MORI LUSHEN

Los Angeles, June 17. Exhibitor John A. Goodno's assertion that the industry is going to let it up to Hollywood to overcome the current box office decline by eliminating double-features was met with scorn by the exhibitors to the screen, has been echoed here by some of the top men in the industry. The exhibitors' concerted attack on the double bill policy, with Walter Wanger, David Selznick, Harry M. Warner, Samuel Goldwyn, Sam Dembow, Jr., Leonard Goldenson, Mary Pickford and Al Lichtman prominently identified with the move, is considered a concrete manifestation of the desire to build faster but better productions.

Walter Wanger's expressed opposition to the move strongly coincides with Goodno's contentions. (He's the theatre owner in Huntington, W. Va., whose views were given a prominence in Variety last week.) Wanger says that the industry has not kept pace with changing public tastes; that the screen has failed to give the public what it wants, and that the public has lost the habit of going to picture theatres because film production has remained oblivious to the needs of the audience.

As a salvation for the industry, Wanger urges patient experimentation with new types of pictures, thereby supporting another of Goodno's proposals. Wanger specifically commends the use of new production methods as an example of how new audiences can be attracted to the theatre. He says that in general, however, saying that in most instances the top performers have not been shown in stereotyped productions.

Stress on New Type Pix

The need for new types of pictures and new personalities on the screen is openly admitted by leaders in every phase of the industry. Al Roach, in talking of plans for his new 40- to 50-minute 'streamlined' pictures, says he hopes to develop the importance which productions of that calibre could have in the department. He says that he has found out that new players have a better chance if introduced to audiences in the smaller theatres. He says that new screen personalities with his own type of appeal, which he has brought forth some of the best names in the business. Operating in the new chains throughout the country, reportedly submerge to the exhibitors.

All the pot-shots being taken at double-billing by industry leaders are merely a prelude to the elimination of B product, because low grade product is obviously displaced by the insatiable demand created through the presentation of dual feature programs. If and when dualing is gradually being made a permanent practice—the number of B pictures will decline in the same proportion.

Walter Wanger, David Selznick, Wanger and others are attacking B product by shooting first at the exhibitors. They are making a strong case in informed industry opinion, a generally improved picture production, and a better product, until the need for quality instead of quality production is eliminated.

M-G TIES UP \$1,000,000 ON 'YEARLING,' SHELVED

Hollywood, June 17. Shooting of "The Yearling" has been called off indefinitely by Metro after it had been expected to take the place of Gene Schermoe, originally assigned as the kid in the picture, but now growing steadily in production. Unless readjustments are made soon, the picture will be abandoned.

Other News Pertaining to Pictures

- Radio Reviews: 'Stars Over Hollywood'..... Page 36
- Concert personalities..... Page 37
- ASCAP..... Page 41
- Irene Franklin dies at 65..... Page 43
- Ernest Camp shows..... Page 43
- Equity..... Page 49

Screen Writers-Producers Accord A Major Victory for the Scribes; 7-Year Pact Yields Many Points

Hollywood, June 17. The threats of the screen writers Guild's walkout died Monday (16) when scribes approved unanimously in principle the producers' proposal of a seven-year agreement. While yet to be submitted in writing, the new pact calls for 85% Guild share for the first three years and 90% thereafter.

Control of screen credit would pass to the Guild, and speculative writing is tabooed. After the contract is operative, the one-year minimum for screenwriters would be at \$125 weekly; two-week minimums would be pegged monthly at \$175 weekly; and those over that figure, but under \$500, guaranteed at least one week's work in block not less than three weeks, except where lay-off occurs at termination of a contract. Screen givers writers employed on 25-52 week periods.

Although tentative setup provides for committee for contract review and contract revisions, powers would be limited to settlement of differences between Producers and SWG on provisions contained in the basic agreement.

Several offered objections to the American Arbitration Ass'n as arbiters, so some other group will provide the difference between the two.

Week-to-Week Setup

Scribes working week to week and in \$500 weekly or less pay-off but writers would receive 75% of notice of contract washup if employed a minimum of eight weeks. Those with less than eight weeks would be employed for a year.

First option period for writers at one of three months; second and third at one of six months; and thereafter one year. On options to another picture, scribes would get long lay-off, provisions do not apply. Producers agree to furnish scribes with copies of all contracts. The one can be filed with Guild, but the scribes' demand for separate reviewing films and scripts was refused.

Minimum wage of \$125 weekly on all writers, including those working on shorts, effective within one year after signing pact agreeable to both sides. Meanwhile, scribes who worked 52 weeks prior to signing contract at once rates minimum \$75 weekly; 32 weeks and one screen credit, minimum \$100 weekly. Scribes who worked less than a year will be credited with proportion time applied on waiting period up to a year and entitled to 75% of the minimum of \$75. Minimums do not apply to scribes under contract.

Flat Deals

Producers accept in principle contingent payment clause provided writers contingent on flat deal written at studio request. All flat deals for features under \$1,500 payable in weekly installments. Flat deals for westerns and action pictures not less than \$1,000. No minimum on flat deals for shorts and serials, but they must not be for less than fixed minimums. Flat deals would carry writer option period with 10% premium. One-third payment would be made on submission of treatment and remainder when story outline is written. Writers drawing up to \$200 weekly are denied vacations with pay, but quarterly could be denied vacation at close of three years. Writer, on request, must be advised of other writer working on same story. Expense for location work granted and writers also conceded important points determining flat deal.

Seven-year contract would be subject to reopening after three years, and right to terminate its deal within two years on disputes arising over flat deals and vacations "with pay."

Delmar Davies is doing a screen script from the air play written by William Bowers and Robinson Holbert.

Contract-Tearing Day

Philadelphia, June 17. Philly film industry holds its annual clam bake and outing at Boyertown, Pa., June 28.

Chief attraction event will be a contract-tearing contest, a trophy going to the exhibitor ripping up 10 film pacts with his own hands in the fastest time.

J. M. Stahl Joins 20th; Harry Joe Brown May Vamp

Hollywood, June 17. Twentieth Century-Fox has signed John M. Stahl to an exclusive two-year producer-director deal, quieting reports he would form his own unit for United Artists release. He draws "Another Spring" as his first 20th-Fox assignment and initials the contract in July.

Harry Joe Brown, after six years as a 20th-Fox producer, may check out of the unit and produce independently for release through the same company. He's also considering other major studio deals.

UA'S 5 REGIONAL SALES MEETS, 1ST IN N.Y., 23D

Arthur W. Kelly, United Artists operating head, yesterday (Tuesday) set the twice-postponed regional sales meetings. The five conclaves start with a get-together at the Waldorf-Astoria hotel, N. Y., next Monday, June 24, and Tuesday (23-24) at all sales personnel in the northeastern section of the country. Kelly will serve as chairman of all the meets.

Other gatherings will be in New Orleans, June 28-27; Cincinnati, June 29-30; Chicago (including Canadian salesmen) June 30, July 1-2, and San Francisco, July 7-5.

Eric Pommer-RKO Kiss 'N' Make Up

Hollywood, June 17. Eric Pommer and RKO have buried the hatchet with the producer back at the studio awaiting assignment and studio withdrawing its Superior Court suit which supported Pommer's determination to sue constantly with the Bank of America, but the same law firm (O'Brien, Driscoll & Hatery) represents both sides.

"I'm glad," Pommer said, "that the estate and UA in the present dealings. They said they are only interested in the estate of the Bank of America, while all negotiations are being handled by the bank by the attorneys."

Jaffe added:

"We feel that the actual price for the estate was not the \$200,000 paid in cash, but \$1,800,000 because Goldwyn had a five-year contract for the estate worth at least \$1,500,000 to him to get out of. That's a pretty low price they want

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SELZNICK-CAPRA WANTED TO SUE WB AND Par, Well Ahead on Product, Look Set to Deliver A Promised For 1941; Sears in No Hurry on '41-42

Reincarnation

Hollywood, June 17. Laraine Day passes out of the "Dr. Kildare" series at Metro by dying in the next picture.

Studio has more ambitious plans for her.

Willie Bioff To Be Tried Aug. 18 in N.Y.

William Bioff's trial gets under way Aug. 18 in N. Y. federal court. The West Coast representative of the International Alliance of Theatrical Stage Employees is charged with violating the anti-racketeering laws by the Government, which asserts he "coerced, threatened and used violence" in order to secure \$500,000 from executives of Paramount, Loew's 20th Century-Fox and Warner Bros.

When he appeared before Judge John C. Knox in N. Y. federal court Thursday (12), Bioff pleaded not guilty.

Bioff was \$50,000 net in California when he quit and the labor leader was released in the custody of his attorney, T. Henry Uhart.

Yesterday, Judge Knox ordered a former order granting him permission to go to the Coast to visit, up until the trial date.

Bioff's other attorney is Michael Luddy of California. He stated that the IATSE had no objections to turning over all its records and files to the Government, but did object to the closing of the Government's bargaining in and disrupting the entire business of the organization.

On Spoe at the spot at the hearing before Judge Knox when U. S. Attorney Mathias P. Correa, after reading the charges against him in the indictment, and declaring ominously that "others unknown to the court" were involved in the racket, stated that he desired a July 7 trial.

Uhart immediately squawked, declaring that such short notice would give him no time whatsoever to prepare, and said that he intended to bring 10 witnesses to the trial. Correa stated that the case was a simple one and would take only a week or so to try.

When Correa pointed out that he "yearned for the safety of Government" if too long a time were allowed to elapse, Judge Knox cracked down hard. "Turning to address the plea," Judge Knox declared that if any phone calls or anonymous letters were received by the court, the witnesses would be revoked and Bioff jailed forthwith. Uhart then declared he wanted a similar ruling for his witness Bioff, and that he would be freed from "persecution" by the Government, and Judge Knox, smilingly, granted the plea.

The court set June 23 as the date for any motions to be made concerning the complaint, and the hearing on the matter for the purpose of discussing Communism in union activity on the Coast, declared that he was not interested with reds, and that the film industry was wiping them out as fast as possible. He said he would let the film industry as being the worst.

George E. Browne, president of the IATSE, said that the same charges as is Bioff, will plead on June 20. Numerous film executives are expected to be called as witnesses.

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Indications are that, Par may also deliver 100%. Company is well ahead on production.

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Joint MPTOA-Pacific Coast Indies' Conclave Blasts Duels As Major 'Evil'; Exhibs Chiefly Star-Gazers

Los Angeles, June 17.—Independent exhibitors numbering around 600, gathered here for the simultaneous conventions of Motion Picture Theatre Owners of America and Pacific Coast Conference of Independent Theatre Owners last week, took concerted action by which they hope, eventually, to completely eliminate double bills. Prevalence of duels, which are characterized as one of the vicious evils of the industry, was the keynote of both conventions and while the MPTOA, meeting for its 21st time, confined most of its efforts to blast the policy and the adoption of a strong resolution condemning the practice, the PCCITO, made up of the theatre operators on the Pacific Coast states, launched steps for an early campaign.

President and heads of circuit theatre chains were called upon to express their views on the double bill status, and urged in preference cooperation in a movement which would wipe out what the exhibitors term a most pernicious evil, by bringing the theatres of the nation to the verge of ruination. Frexy Ed Keady, president of the Motion Picture Lukau, Seattle trustee to the PCCITO, delivered ringing talks in support of the theatre operators and the convention was recorded as being unqualifiedly opposed to a continuance of the practice.

Just Like Tourists
Within a few hours efforts of complete cooperation were received from Charles P. Skouras, president of the Fox West Coast Theatre; Walter Brown, David C. Conroy, and Joseph Liechman, of Metro. Other distributing organizations are expected by the exhibitor group to lend their aid in the death knell of the dueling practice.

Considerable disappointment was expressed early in the convention over the slim attendance of actual theatre operators to the MPTOA meeting, and the reluctance of many of those who did come to the Coast. Rather they chose to attend the business sessions. During the afternoon sessions for studio visits, hobnobbing with the stars and other Hollywood tourists. The film was the latest attraction, and a day afternoon opening session of the national organization that William F. Rodgers, general sales chief, refused to appear before the body to deliver an important Metro sales policy announcement. Rodgers deferred his talk for 24 hours and then finally gave his message but not until the meeting was packed with PCCITO members and a host of guests to the joint powwow.

Several discriminatory practices of distributors in favor of affiliated theatres over the indie operators was being blasted. The elimination of the business sessions of the PCC, and the evils of dueling were tossed right into the distributor's lap. In the charge of the exhibit that this was made possible through producer-distributor concinnance with the affiliated houses.

Steps for the protection of its membership were taken by numerous matters that apply generally to exhibition, particularly the matter as to how to handle discriminatory practices on the part of distributors, and warning was given there will be no toleration of any move on the part of producer-distributors to take advantage of the smaller exhibs under the Government consent decree.

An 11-point program, titled a code of ethics, was set up by conference prior to the entering of the consent decree, was endorsed by the membership at the closing of the PCC, and trustees of the organization have already launched a revision program by which they will set a concrete working program will be devised. This program embraces limitation on circuiting, percentage rentals, forbidding of shorts, clearance, selective contracts.

(Continued on page 18)

Saddle Pals

Hollywood, June 17.—Reunited in the cast of 'Texas' at Columbia are eight western actors who played together in the first cowboy feature filmed by Thomas Ince in 1910.

Oldies are Charlie Murphy, Bud Osborne, Neil Hart, Buck Mount, Eddie Cobb, Jack Plunk, Bill Patton and Bud Ray.

20th-Fox Sales Crew Of 500 to Coast Meet In Six Special Trains

Hollywood, June 17.—Twentieth-Fox is chartering six special trains to fetch 500 delegates to its national sales convention to be held here July 16-18, and called the most important business huddle in the history of the company. Importance of the meeting is due largely to new conditions imposed by the Government's consent decree. Conference will be held at the Hotel Ambassador.

Delegates will find 10 features in work on the Westway. Films are: 'How Green Was My Valley,' 'A Yank in the R.A.F.,' 'Charlie's Aunt,' 'Wild Geese,' 'California Star,' 'Marry the Boss's Daughter,' 'Riders of the Purple Sage,' 'Men Against the Wall,' 'The Caveman,' 'Herman Wober,' sales chief, is expected to arrive here Monday (23) to confer with Harry Zanuck in outlining additional details of the convention.

MICHEL'S OLD SALE; NEW K-A-O TRADING

Washington, June 17.—William C. Michel, officer and director of 20th Century-Fox Film, filed a 4 1/2-year-old report with the Securities and Exchange Commission revealing that—on Oct. 18, 1936—he held 978 shares of \$15 cumulative preferred stock in the company, retaining only one share of the stock. No indication as to his holdings in 1941.

Somewhat more up to date in the SEC's summary of film stock transactions for April this year were purchases of 1,000 shares each of cumulative preferred Keith-Albee-Orpheum stock by the Atlas Corp. of Jersey City and the American Co. of New York. Atlas latter recorded 118,800 shares as the net-egg remaining at month's end.

Quine's Coast Quickie

Hollywood, June 17.—One month ahead of original contract assignment, Richard Quine checked in at Metro yesterday (16), and assumed the duties of music judge Judy Galard in her new musical slot.

Quine's call from the studio allowed Quine to withdraw from the Broadway play, 'My Sister Ellen,' 30 days ahead of time.

ADMIT IT: I'D SUBSEQUENTS

Minneapolis Indies See Box-office Stimulus in Protracted Loop Engagements—'Cite 'Buck Privates' As An Example

DOWNTOWN VS. NABES

Minneapolis, June 17.—Local independent exhibitors are being forced to the conclusion that long loop runs do not 'milk' good pictures, but, if anything, apparently are a boxoffice stimulant when the films finally reach the neighborhood situations. The experience with 'Buck Privates' is throwing a new slant on the matter.

When 'Buck Privates' was held eight weeks at the downtown Gopher and Aster, there was much squawking by Twin City independent exhibitors who charged that the picture was being 'milked' and wouldn't be of any h.o. value to them. Universal, however, insisted otherwise.

But now 'Buck Privates' is playing the independent neighborhood spots—and at the same 26 admission as it played for downtown—and is giving these houses their biggest grosses in more than a year. Records have been made in a number of instances and many of the houses are bringing in return engagements. Extended playing time and Sundays have been the rule, too.

The real good boxoffice picture that do business downtown also prove profitable for the neighborhood situations. Reasons for this long they run in the loop, according to branch managers. And had pictures that starve downtown, even though they run only three days, are from hunger' uptown, too, it's pointed out.

Muddy Going for Linda

Hollywood, June 17.—Linda Darnell will be the femme interest in the 20th Century-Fox version of the Satepost serial, 'Swamp Water,' due to roll July 14.

Jean Renoir, late of Paris, is director.

RKO's 40-45 Pictures for 1941-42, Plus 6 Westerns and 190 Shorts; First of 'Big 5' Cos. to Convene

Kids With a Horn

Hollywood, June 17.—Billy Lee, 10-year-old moppet, who became a film star in 'The Biscuit Baker,' is stepping out with a big band composed of musicians up to 12 years old, around Southern California until school is out.

During vacation days, with educational chains loosened, Lee is taking his 11-piece gang for nationwide tour.

RKO's K-A-O Refunding Plan Beveled Stymied By Stockholder's Suit

Temporary injunction obtained by R. M. Van Kirk, a New York broker, against RKO, restraining the company from proceeding with its Keith-Albee-Orpheum refunding plan, is held responsible for adjournment of the special K-A-O stockholders meeting scheduled for last Thursday (12).

Meeting was to have voted on the plan of reorganization, including the refunding setup and to consider amendments to the corporation's charter. Adjournment was taken to June 24.

Malcolm Kingsberg, vice-chairman of K-A-O board, who presided at the called meeting, suggested the adjournment after explaining that the plan required preparation of many documents and that final drafts had not been ready. Resignation of the stockholders present by RKO representatives that an RKO stockholder had asked for an order to restrain the parent company from voting its preferred shares in approval of the plan. Understood it was felt by RKO officials that an adjournment would be best thing in view of the threatened temporary injunction, subsequently granted.

Reorg and refunding planned by K-A-O is part of RKO's proposal to simplify the corporate set-up and reduce it to a more economical, simpler basis.

The first of the Big Five among distributors, which is party to the consent decree, will have sales convention, RKO has five 1941-42 pictures ready for selling and will start July. Meantime, preparations are going forth hurriedly to provide the necessary machinery for screening and the new selling that will prevail. Indications are that RKO will be close to a month or farther ahead than others on actual contract-taking under the decree.

Although the company has a first block-of-five features, all of which are screened in its four-day convention currently in New York, plus 'Citizen Kane' as an additional for 41-42 delivery, it may be sold as a package though indicated by both Ned Depinet, v.p. over distribution, and J. W. Smith, general sales manager, that the policy will probably be flexible.

Product Lineup
Outlining the coming year's program yesterday (Tuesday), Depinet said that RKO has 48 features plus six westerns and 190 shorts. Budget will be the highest in RKO's history, with over \$75,000,000. Five of the 48 pictures, which will include Disney, 15 pictures, will include Disney, Healy, DeLoach, Orson Welles and Henry King. Five of the 15 pictures will turn out two features starring Anna Neagle. Jack Votaw, another producer, said that the additional cost of the six westerns will be sold in the same package as the exempt from the decree provisions.

Introducing Joe Breen
With the new year east and set to become general manager of the studio, George J. Schaefer will introduce him to the convention either today (Wednesday) or tomorrow (Thursday) on the blowoff, as he officially announces the appointment of the former Hays official. Deal with Breen was closed prior to the opening of the convention Monday (16). He and Schaefer leave for the Coast by the end of this week.

While Depinet announced the product lineup yesterday (Tuesday), he also announced that the studio will go into details concerning the consent decree, the dots under its limitations, as well as the new sales policy that will govern. It is expected that the distributors' screenings of product alone will cost \$250,000 a year or more, which together with the additional cost of a decree selling, will mean bending every effort to get higher rentals as well as officially announce the appointment of the first screening dates and where today (Wednesday). As will be the case with the other studios, screenings will be dependent on availability of prints, routes, etc.

Large lot of films is scheduled on the territories, while also two, three or four may be sold at one time. The studio is permitted under the decree.

30 Delegates
In addition to which more than 300 delegates to the RKO convention were told to see, RKO will have 30 delegates Monday morning, two others Tuesday (Tuesday) and will run off a fifth, Wednesday. The delegates are: 'Father Takes a Wife,' 'Parachute Battalion,' 'Devil and

(Continued on page 20)

Swish and Strut In Silence Newest Edict To Keep Film Track Noise-Free

BREEN TAKES OVER AT RKO STUDIO IN 2 WKS.

Joseph I. Breen declared in New York Monday (16) that he will take over his new post as head of RKO studios of publicly and advertising, and will be in New York last week for a day for Philadelphia, his home town, where he worked for many years as a producer ('Chick'), following his introduction by prez George J. Schaefer to the company's sales staff.

Einfield Easting

Hollywood, June 17.—S. Charles Einfield, Warner director of publicity and advertising, goes east this weekend for home-office parties on the company's annual sales meeting and the New York opening July 4 of roadshow engagement of 'Sergeant York.' Slays east about a month.

Quiet, please! the admonition yelled so often by assistant directors on studio sets, is being promulgated by the Research Council of Academy of Motion Picture Arts and Sciences.

Quiet, please! the admonition yelled so often by assistant directors on studio sets, is being promulgated by the Research Council of Academy of Motion Picture Arts and Sciences. The suggestions turned in by the decibel investigators is that all dancers be required to wear shoes that decrease noise while shaking their hoofs in front of the cameras. Idea is to subdue the racket noise that detracts from the drama flowing out of the sound track.

Such suggestions along the same line take devious courses. For example, there are mute driveways and gaiters worn, made of chipped cork instead of gravel; celanese tafeta instead of silk to prevent noise from feminine gaiters; soft building board as a silencing overlay on cement or fagstone walls; double window panes to tone down the noise of raindrops, and rubberized glass as a substitute for sawdust to catch the water as it drips from the window sills.

All these and more recommendations are being made and are being handed about all the studios at the instance of the basic sound committee, headed by Loren Ryder.

Broadway Notories Turn Out For 14th Annual Preem of 'Tight Shoes'

BY MILTON BRILL
Attendees of the Damon Runyon's new picture, 'Tight Shoes,' Monday (16) midnight at the Ziegfeld Theatre...

Never saw such a soggy audience as was like to see Damonors of a burning at Sing Sing. Everybody of importance...

Brooklyn Rose arrived at the theatre in a Ruppert Brewery truck. Traffic Squad D, Motor Squad No. 1 and Patrol Squad No. 18...

A Flower Lover
Sewity Morgan was another early arrival. He was escorted by J. Edgar Hoover...

NLRB Decision on SPG
Of New York Due Soon
With the National Labor Relations Board about to issue a decision...

Parson's Salt Lake Preem
Hollywood, June 17
Harry Sherman's high-budget western, 'The Parson of Panamint,' is set for a world premiere in Salt Lake City.

OVER THE CLIFF
Hollywood, June 17
Larry Darmour's comedy, 'The Iron Claw,' rolled yesterday (Mon.) at Columbia with Charles Quincy as director.

LARRY DARMOUR'S 'THE IRON CLAW'
The Iron Claw, rolled yesterday (Mon.) at Columbia with Charles Quincy as director.

Rep's Enlarged P.A. Dept.

With the moving of Republic Pictures and Consolidated Film Industries to Hollywood...

Reason for the additions and changes is that Rep will have more pictures on release in New York every before, and is planning more publicity and advertising.

George Kelly, WB J.C. Manager, Adopting A Keyly From Dublin

George Kelly, manager of WB's Stanley (WB), is very proud of his new son George Kelly, 15, a new-comer to the studio...

When his boat docked in the U. S., he saw the metropolitan sights, and especially in the lobby of the Fabian theatre (WB) in Hoboken.

Kelly met the boy. He heard his brogue, was hit by his wit and intelligence.

Na'l Screen in Conv.

Holding its first annual conventional screen, the National Screen Service's subsidiary companies, National Screen Accessories and Advertising...

Carey's 33d Anni Shindig Genuine In Its Sentiment

Hollywood, June 14
I had a lot of great things to say, but I'm damned if I can remember them...

That was what Harry Carey told some 300 friends who gathered at his beach here to help him celebrate his 33d anniversary as a motion picture actor.

Those things Ed just said about me, the actor spoke in response, 'as far as he knows, they're true. I'm never going to tip him off. That's my promise to him.'

Ed Fisher, the leading lady in 'The Shepherd of the Hills' also made a little speech, presenting him with a watch from Paramount.

Hunt Wins Loew's Award

Louisville, June 17
George N. Hunt, manager of Loew's Theatre, last week was awarded a plaque, called Loew's Dollar Award...

Netco's Golf Tourney

The Netco circuit of upstate New York is sponsoring a golf tournament chain, will hold a golf tournament at Adolph Zukor's estate...

Cost of attending the tournament, including food, refreshments, etc., is \$10.00.

S.C. Careful on Its Sunday Shows; Loew's N.E. Shifts; Exhib Briefs

Sparksburg, S. C., June 17
Disappointed in charge of Loew's announced Patmeto company's four Columbia, S. C. houses, recently allowed to bring Sunday over from state bill, will give local churches...

Several personal changes in the Northeast division of Loew's Theatre are expected as assistant of a new man, division manager. Vaughn D'Elia left for Law F. Parsons, to Pittsburgh, as assistant at Loew's Penn. James E. Tibbitts, assistant manager, Loew's, Erie, Pa., replaces O'Neill at Providence; and he is succeeded as assistant of the State by Emil Wetzelyk, formerly senior treasurer at Loew's Philadelphia.

Tom Foley is promoted from treasurer of Loew's Erie, Pa. to Orph; Fred Llan, chief of staff at Loew's State, Boston, succeeds Foley as chief of staff at Loew's Erie, Pa. Formerly the Pittsburgh, Pa. office, is now under the supervision of the State, Erie, Pa. office, is now under the supervision of the State, Erie, Pa. office.

Erie, Newburgh, N. Y., reopened
The Ritz, Newburgh, N. Y., closed for repairs and restoration, reopened on Tuesday, June 17. Paramount will resume the Tuesday tryouts of stage shows which are scheduled to begin on June 18 at the Par. N. Y. Meantime, the Erie, Pa. office, is now under the supervision of the State, Erie, Pa. office.

Bob Blatt Resumes
New Orleans, June 17
Bob Blatt, manager of the Seenger theatre for the past five years, returned to New Orleans on Monday. He assigned no other reason for quitting.

Ed Fisher's Connection
Cleveland, June 17
Ed Fisher, formerly of UA publicity here, is becoming active in a string of new management positions. He is now manager of the Imperial, effective June 22. Fisher, one-time newspaper radio editor and former manager of the show at the Space Pierce, who is quitting to do a radio show at the 29th Street theatre, is now at the 29th Street theatre.

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Blackminton, Rose Garden shuttered nearby in 1927. Embassy, operated several weeks with a show by V. B. Paga, closes for summer.

Keech, Williams Swap
Jersey City, June 17
Rudolph Keech, in charge of Warner Bros. show at the theatre for three years and Anthony Williams, director of Warner houses in the Essex County zone for six years, have exchanged posts.

Jack Davis, N. Y. House
Jack Davis, operator of a chain of recent theatres, is known as the Menelgerman, has leased the Ritz Carnegie, and after remodeling, will open about Labor Day with a new picture. House also will be equipped for show television.

Goldberg's Oakland
San Francisco, June 17
Aaron Goldberg has taken over the Ritz in Oakland. He is operating a new picture there as competition to his Newrest in Frisco. Oberweiser will be a subsequent grind.

Another Penne Manager
Pittsburgh, June 17
Second woman manager in this area will be the new Penne, who will manage the new Vox, Ligonier, Pa., which is to open on June 18. Formerly the Pittsburgh, Pa. office, is now under the supervision of the State, Erie, Pa. office.

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Libson-Glenn Miller \$46,000
In Perky Chi; Fio-Rito and 'Girl Gobs' \$17,000
Boys Town 18G, Navy Big

Chicago, June 17. This week's picture business shows the promise of much boxoffice strength, and it's due mainly to a combination of new bookings...

coming feature retains 'One Night in London' (WB) (2) which is being shown in double bill with 'The Girl Gobs'...

J. Dorsey Boosting 'Limited' to Big 20G, Wash., Others Limp

Washington, June 17. There are customers in this boomtown when there is something on the marquee to coax them in...

Estimates for This Week

- Capitol (M-G) (3:00-3:55-55-75) - Women's Face (M-G). Fourth week in loop, but heading for obsolescence...
Chicago (B&K) (4:00) (3:55-55-75) - Libson (Par) and Glenn Miller (RKO) on stage...

First Runs on Broadway (Subject to Change)

- Week of June 19
Antos-'Major Barbara' (UA) (6:30)
Broadway-Fantasia (Disney) (8:24 wk.)
Capitol-Billy the Kid (M-G) (Reviewed in Variety)
Criterion-'In the Navy' (U) (2) wk.
Globe-'Underground' (WB) (2) wk.
Melo Hall-'She Knew All the Answers' (KO) (Reviewed in Variety May 21)
Palace-Citizen Kane (RKO) (6th wk.)
Paramount-'One Night in Lisbon' (U) (2) wk.
Blair-'Tight Shoes' (U) (17). (Reviewed in Variety June 11)
Roxey-'Man Hunt' (20th) (2) wk.
Strand-'Out of the Fog' (WB) (20) (Reviewed in Variety June 11)
Week of June 26
Antos-'Major Barbara' (UA) (7th wk.)
Broadway-Fantasia (Disney) (3rd wk.)
Capitol - The Big Store (M) (Reviewed in Current Issue)
Criterion-Mata Hari (M-G) (20th) (Reviewed in Current Issue)
Palace-Citizen Kane (RKO) (6th wk.)
Paramount-'Caught in the Draft' (WB) (20th) (Reviewed in Current Issue)
Roxey-'Moon Over Miami' (20th) (17) (Reviewed in Current Issue)
Strand-'Out of the Fog' (WB) (2) wk.

Balto Added by Rain; 'Kid' Topped \$12,000, Navy '96; Baby Sad

Baltimore, June 17. Plenty of rain kept them in town over the weekend and helped help downtown box office all around. Most consistent is 'The Kid' at Loew's Capitol (RKO) which topped at \$12,000...

Estimates for This Week

- Century (Loew's UA) (3:00) 15-24-44-'Billy' Kid (M-G). Attraction of high standing...
Hippodrome (Rappaport) (2:40) 12-26-39-44-58-68 - 'Affectionately Yours' (WB) (20th) (Reviewed in Current Issue)
Kath's (Schubberger) (2:40) 15-26-39-44-'In the Navy' (U) (2) wk.
Blood Sand (20th) (3) 15-26-39-44-'Blood Sand' (20th) (3) 15-26-39-44-'Blood Sand' (20th) (3) 15-26-39-44-

Cleave in Summer Doldrums

'Lisbon' Nice \$9,500, 'Baby' Sad \$G - 'Navy' Slick Holdover, 'Kid' Okay

Cleveland, June 17. Just another average summer week, with 'One Night in Lisbon' leading at the State, but by a slim margin...

New Shows Up 'B' way: Abbott-Costello Sock \$26,000, Berle (with Lopez) Aids Libson, 41G; Hunt, 45G, 'Sunny', 72G

Much of the gloom hanging over Broadway of recent weeks has been dispelled by new shows...

is being blocked; first week ending last night (Tues.) took \$31,000. Away on holdover for second week...

Both the Roxey and Paramount are doing well amounts to a substantial business for this time of the year...

Estimates for This Week

- Aster (U) (1:12) 30-40-55-63-'Becky' (UA) (8th week). Wound up fifth week last night (Tues.) at \$11,000...
Broadway Limited (U) (1:18) 65-70-110-135-220-'Fantasia' (Disney) (3rd week)...

Estimates for This Week

- Loew's (RKO) (2:00) 35-55-85-110-'Blood Sand' (20th) (3) 15-26-39-44-'Blood Sand' (20th) (3) 15-26-39-44-

LOAN DRIVE HITS M'TL 'Doe' Tops Town With \$8,000 - 'Lisbon' Mildly \$6,000

Montreal, June 17. Last week of the season here will continue to dent grosses with John Wayne's 'The Sign of the Cross' helping to cut down the balance of takes.

Estimates for This Week

- Majestic (CT) (1:00) 50-75-100-'The Sign of the Cross' (M-G) Legit show opened Monday (16). Fair advance sale. Last week's boxoffice \$10,000...

Estimates for This Week

- Hollywood, June 17. Eleanor Powell's next starer at Elton is 'The Sign of the Cross' and dancing show with a Mexican background...

K. C. BIZ LOOKING UP; BOWES UNIT-AUTRY 9G

Kansas City, June 17. General biz picked up this week. In the new play in the wing up...

Estimates for This Week

- Midland (Loew's) (4:10) 10-28-44-'The Girl Gobs' (M-G) and 'Broadway Limited' (U) (1:18) 65-70-110-135-220-

'Billy The Kid' Leading Lincoln Park Hot 4 1/2 G

Lincoln, Neb., June 17. 'Billy the Kid' is galloping away with the h.o. lot at the Lincoln but nobody's complaining about biz...

Estimates for This Week

- Colonial (Moros-Noble-Federer) (7:00) 10-15-'Sheriff Tomestone' (M-G) (Reviewed in Current Issue) split with 'Wranglers Rodeo' (M-G) and 'Girls Rodeo' (M-G)...

Estimates for This Week

- Alten (RKO) (3:00) 30-35-42-55-'The Sign of the Cross' (M-G)...

LP 102 LONG N. MFB2 190
 20TH CENTURY FOX FILM CORPN=
 :444 WEST 56 ST NEWYORK NY=

"MOON OVER MIAMI" HAD GREATEST
 OPENING IN MIAMI AND LINCOLN
 THEATRES IN SUMMER HISTORY
 PLAYING AT NEW POLICY IN TWO
 THEATRES ONE IN MIAMI AND ONE
 IN MIAMI BEACH. BEAT ALL PREVIOUS
 OPENING RECORDS. BETTER THAN
 MARYLAND, LILLIAN RUSSELL,
 MARK OF ZORRO, RETURN OF FRANK
 JAMES, TIN PAN ALLEY. ALL GREATER
 MIAMI PROUD OF PICTURE AND I
 THINK IT GREATEST MUSICAL 20TH
 CENTURY FOX HAS EVER MADE.

KINDEST REGARDS=
 :SIDNEY MEYER.



"A FIRST RATE MUSICAL
 AND A GREAT PICTURE!"
 —Bob Fredericks, Miami Herald

"A MIAMI VACATION
 MINUS THE EXPENSES!"
 —Harold Pearl, Miami News

SHOWMEN, NOTE! Big campaign included proclamation of "Moon Over Miami" Day in Greater Miami, joint resolution by the council of Miami Beach and city commissioners in Miami expressing appreciation for picture, 100 merchant windows specially decorated as further token of civic pride and gratitude!



Add: 'Goodwill' Boners

Tactless wording of recent Metrotone news which plays right into the hands of the Axis propagandists in South America, brought audible comment from audiences here. Commentator twice refers to countries south of the border as "Hitler's Spain" (Spanish America) and "America's Latin" (Latin America).

Totallitarian bathos has long stressed the Spanish-American idea in an effort to instill in the minds of United States neighbors that their ties are closer to Spain than to the States. It's pointed out that if U. S. newsmen cooperate in spreading the idea, they're helping propagandists who would eventually squeeze out everything Yank.

Blood Ties Just So Much Aqua Pura In Pic Relations With Spain, Argentine Holds in Citing Madrid Import Refuffs

Buenos Aires, June 17. Spain's avowed desire to corner a good-sized sector of the South American film market—a yen which has been voiced by RKO and Warners who feel Franco's Spain will be able to do better than they've been able to do here in Latin America—seems headed for trouble, especially in Argentina, which represents the greater part of the market.

Strong opposition has been developing here because of the rebuffs Argentine producers have met in trying to get their product into Spain due to the Spanish industry's desire to keep its own Latin American foreign companies have likewise suffered.

Before the civil war Argentine films got a good foothold in Spain, but since then they have been snubbed over despite the fact that Argentina currently leads the world in quantity and quality of Spanish-language productions.

Asociacion Productores Peliculas Argentinas (Argentine Picture Producers Association), headed by Lumicon's Dr. Jose Guerrero, has been active in discussing and lining up a program of governmental action. Casa Rosada—"The White House" here—is said to have indicated it will follow through in line with the present policy of close exchange contacts which binds Argentina to Spain. "If you don't trade with Argentina, Argentina won't trade with you."

So-called "Goodwill" Local trade sheets headed by Cine Prensa have been pointing up the issue, explaining that the formation of a National Spanish Syndicate in Spain, which requires special authorization for importation of all but Spanish-language films, is a "good-will" gesture toward Argentina without goodwill action.

Agents for Madrid-producing outfits have been quietly stying up S.A. contracts for the last few months at the instance of General Franco's Falangist Party, trying to see what can be done with pics of their own. To show that Spain and the New World are "spiritually and culturally related" and that close ties are based on more than language but on religion and a common literature, art, and science.

Number of Spanish films here has recently increased. The Argentine market is estimated to absorb more than a fifth of those in the rest of Latin America. put together—constitutes the most important potential market for Spain. Argentina, in turn, has long had its eye on Spain's 23,000,000 population and fact that the country can absorb between 400 and 500 films a year while not even hoping to produce more than 100 films.

Argentina makes almost 100 full-length features annually, 75% of which get a play outside the country.

No Argentine producer maintains offices in Spain but a plan whereby the latter might be able to do a joint distrib. setup is under consideration.

Ben Cohen Cables Loew's He's Safe in So. Africa

Given up for lost a week ago, when only 13 survivors of the torpedoed APTA ship *Arcturion* were reported by a Brazilian boat crew, Ben Cohen and his wife, Mrs. M. Cohen, Metro theatre manager, and his wife, Mrs. M. Cohen, South Africa, were reported well and unharmed, according to a cable received yesterday (17) directly from Cohen. As soon as APTA reports reached here, Monday (16) after that 25 additional survivors of the torpedoed *Arcturion* reached Capetown on a British vessel.

Buenos Aires, June 17. Holdovers in three downtown houses held b.o.'s down for the week ending May 31, with Frank Rex continuing to top everything in sight with 'Philadelphia Story,' record breaker for the house.

Following are estimates, given in peso which are currently at 420 to the dollar.

Ambassador (Lauter and Cavallo), 'Strawberry Blonde' (WB), second week, \$8,500, good. Estimated \$12,500 first week.

Ideal (Met-G), 'Black Street' (U), \$12,500, good. First week, \$28,000, excellent.

Normande (Lococo), 'I Was An Adventurer' (20th), \$9,500, poor.

Opera (Lococo), 'That Uncertain Feeling' (U), \$9,000, good.

Sulphur (Lococo), 'Too Many Girls' (RKO), five days, \$4,500, poor.

Gran Rex (Lauter and Cavallo), 'Philadelphia Story' (M-G), \$25,000, good. First week estimated \$50,000.

Met (Met-G), 'The Sign of the Cross' (M-G), \$15,000, good.

Broadway (Lauter and Cavallo), 'Escape' (M-G), 22 run, \$15,000, good.

Daylight Saving Hits Pic Grosses in Havana

Havana, June 10. Picture grosses in Havana were more or less in keeping with the summer season. Daylight saving, which went into effect June 1, has hit b.o. by about 20%. However, a couple of repeats, and especially pictures that have exceptionally well. Approximate grosses follow:

Met (Met-G), 'The Sign of the Cross' (M-G) (repeat for six days), \$11,000, o.k.

Esposito, 'Gallant Sons' and 'Dulcy', \$10,000, good.

Gran Rex, 'Back Street' and 'Give Us Wings' (U), \$17,000, getting by.

America, 'Wife and Tropics' and 'Dark Streets of Cairo' (U), \$2,200, fair for a double feature.

Nacional, 'Novela' and 'Las Muchachas' ('Los Boyas del Mexico'), \$1,000, n.h.

America, 'Retorno del Chano Negro' ('Return of the Bard') (Argentine), \$1,000, good enough.

MAXWELL DEAL AWAITS ANGLIC RULING

While several American film companies (Warners was mentioned most recently) have been named as possible buyers of the rights to the John Maxwell in Associated British, only a complete about-face by the latter Board of Trade would make it possible approval of any such deal, according to picture officials in New York.

Because it is extremely dubious if a deal can be struck with the U. S. any funds excepting those presently frozen in Great Britain, Spain, a deal for control of the A. B. circuit, composed of some 400 theatres, would have to be approved by British Board of Trade at the instance of the frozen coin pact which U. S. major companies have in British theatres must be given B. of T. approval, which has not been coming long date.

WE'VE Laid Bldg. London, June 17.

Of the five bids for the late John Maxwell's rights to the A. B. circuit, the picture Corp. most likely to be considered, the one by Warners, \$6,000,000, is said to be the lowest.

Understood that in order to satisfy possible British government intervention, Warners' bid was put up in U. S. dollars, Max Milder, Warner managing director in Britain, already has agreed to a deal, it's stated here.

Metro's foreign chief, cabled directly to Cohen.

Cohen cabled back that he and his wife had been taken to sea after the boat was torpedoed by a U-boat in the mid-Atlantic, May 21, and were in London for three days on a freighter. But added both were okay.

Cohen is expected to be brought in for future assignment after serving as Metro theatre manager at Calcutta, where he was taken to sea. He will manage the Metro house there. He formerly was a Loew's manager in London, mostly in the New England territory.

'Philly Story' Film Sets \$50,000 B. A. Record

Buenos Aires, June 10. Holdovers in three downtown houses held b.o.'s down for the week ending May 31, with Frank Rex continuing to top everything in sight with 'Philadelphia Story,' record breaker for the house.

Following are estimates, given in peso which are currently at 420 to the dollar.

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Broadway (Lauter and Cavallo), 'Escape' (M-G), 22 run, \$15,000, good.

'Met in Argentina' Gets B.A. Once-Over to Avoid Wrangle on Authenticity

Buenos Aires, June 17. Municipal inspection reports here has notified RKO manager Ben Y. Cinnback to make no arrangements for the importation of 'Met in Argentina' until a pic has been once-over. Unusual action in issuing such orders has not been taken in this country apparently due to desire of authorities to prevent recurrence of the 'Met' wrangle which has troubled Hollywood-made films with Argentine backgrounds.

Nacional, 'Novela' and 'Las Muchachas' ('Los Boyas del Mexico'), \$1,000, n.h.

America, 'Retorno del Chano Negro' ('Return of the Bard') (Argentine), \$1,000, good enough.

'TRUE' PIC OF ARGENTINA

First Series of Items Designated as 'Educate' Yanks

Buenos Aires, June 17. First series of pics to be made in South America, especially for U.S. consumption, are now on route to the States, where attempts will be made to have them shown in first-run theatres as a true picture of Argentina.

Series was prepared by newreel company 'Educa Argento'.

French-Spanish Breach Seen as End By Film Production-Distrib Accord

Madrid, May 17. The first break in the cloud-ridden skies of Franco-Spanish relations is the announcement of the formation of a new two-way export film circuit of two-version pictures and distribution of French films in Spain. The new circuit, headed by the Franco-Mediterranean, was recently formed with headquarters in Barcelona, and now on route to the States and Spanish, although there is a war of Italian money in the deal. The deal involves the new export film circuit between the Casa Hispano Films and the Frenchman, Maurice Calamy, who reserves to himself the right to put the final touches to the deal.

The object of both outlets is to produce two-version pics here and to import and distribute French pictures for Spanish consumption. Mediterranean's deal is an export film circuit from Spain with South America as the main objective and to this end will attempt to bring some of Franco's leading actors to collaborate in the two-versioned pics produced here. Just what effect the new film decree will have on this new attempt at Franco-Spanish pic collaboration remains to be seen.

Frenchman, Andre Hugon and

Diplomatic Rupture Brings Ban By Hungary of British Pictures; U.S. OK Depends on Int'l Situation

Hake Winding Up H.O.

Huddles, Back to Antips
Clay Hake, 20th-Fox manager in Australia, is expected to wind up his duties at the home office within the next 10 days and start back to Sydney.

J. Hutchinson, 20th's foreign sales chief, has expressed a desire to make the Australian trip, but Hake's jaunt to N.Y. presumably eliminates such immediate necessity.

By E. F. JACOBI

Budapest, May 19. In consequence of rupture of diplomatic relations between Great Britain and Hungary, the latter interior has declared ban on all motion pictures of British extraction.

It is estimated that on 100 theatrical, alone hardly any British pictures were released here during the past season and no new prints could be expected to arrive under present circumstances. Except possible revival of 'Foot Light Parade' which past seasons, ban chiefly strikes at Korda's 'Tales of Bagdad,' which opens here in a few days. It was that some sequences of 'Tales' having been shot in Great Britain, it comes under the heading of British films and as such is subject to the ban.

AFFIRM BELIEF IN PAN-AMER. 'SUCCESS'

With growing conviction among film comms' foreign chiefs that the U.S. picture industry is straining too hard in promoting the Pan-American goodwill spirit in view of new Latin-American theme vehicles, and that the good-neighbour policy will be for the more effective concentration on typical American boxoffice product, foreign sales managers at the official representation of Jack Whitney, head of the film division promoting hemispheric solidarity, expressed new developments on the Pan-American front last Thursday at the Hays office conference.

Consensus of opinion at the session was that real results are being asked to solidify the good-neighbour program. Two developments were pointed to as indicating this: (1) A unanimous report that Douglas Fairbanks, Jr., is doing even a better job as goodwill ambassador for the Latin-American market than was hoped for.

(2) American film companies are given credit in Argentina as a result of lifting the ban on import quotas there, with a trade treaty foreclosed between the U. S. and Argentina as a result of this friendly treaty. Restrictions on imports of every type were lifted by the Argentine order.

Courant H'wood Bound

Court Courant, ex European cameraman, arrived in New York last week after a circuitous three-month journey from the south of France.

He will leave for Hollywood next week.

21. U. S. Pic for '41-42

Release of American pictures already imported and passed by the censors has been permitted. This leaves 28 American pictures to be released in the coming season. Whether any further imports will be authorized is not known. The currency granted for their payment depends on political developments.

Picture imports to Hungary have been during the past 10 months (from August, 1940, to May, 1941) valued at \$1,000,000. Hungary has the most successful, from an advertising angle, picture hit in 'Rebecca' with a turnover of \$50,000, 'Snow White' imported picture since 'Snow White'.

Average turnover of American features in Hungary is approximately \$100,000. 'Art' this season, 'Seven Years' 'Twins Case', 'Noire Days', 'Blue Bird' and 'Real Girl' were the best.

Distributors and branches of American companies still operating in Hungary are being completely wiped out as a result of the development of import situation. If American imports cease, several low price 'Sueses' and second-run theatres in Budapest and big cities will be strongly affected. The only picture to be shown in which, in the province, will only play on Saturdays and Sundays, depend largely on local conditions.

Next Pic Released

During the same August-to-May period, only 32 German pictures were shown in Hungary, a decidedly smaller figure than in previous years. Outstanding among them was the ultra low price 'Sueses' 'The Sueses'. Not a big 'noney-maker,' as it was distributed to exhibitors at a specially low price 'Sueses' was certainly the picture seen by the greatest number of persons in Hungary in the course of the current season.

Fourteen French features shown during the same period were shown in Budapest, but did not count for much in the small towns. Of six Italian picture releases only 'Alcazar' was of any importance.

The 37 Hungarian features released during the same period are of good improvement. 'Seve Danko,' romantic bio of famous gypsy musician, was the most complete and enjoyable. 'Yes or No', 'The Ghost Walks', 'Closed Train' and 'Lekevide Village' all reached \$50,000.

ARCHIBALD, CARR TO CROSS CLIPPER PATHS

United Artists co-theatricals in England will probably cross each other in the U. S. while Tedric and George Archibald, in United States for about three weeks, Clipper and Carr will take their first in Lisbon, boards the westbound flying boat to come to N. Y.

Purpose of their visits is to handle work in the U. S. and to hold another home office execs.

B. A. Award to Arata

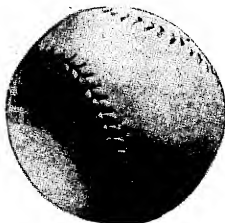
Buenos Aires, June 17. Metro picture distributor has made prize, offered for the best and most consistent national repertoire, has awarded Luis Arata at the Paris.

HOW TO BEAT THE SUMMER!

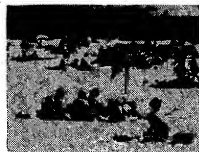
Leo's an old hand at competing with the hot weather and the distractions of vacation-time. As in previous years he's got a sure-fire policy: **BIG ATTRACTIONS!** And as in previous years it's the lucky **M-G-M** showmen who have the shows to beat the good old summer-time!



"And I'm treating the whole family to 'Life Begins for Andy Hardy.' Judy Garland's back with Mickey and the gang!"

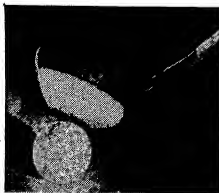


After the game there's a big thrill ahead: Bob Taylor in the Technicolor "Billy The Kid."



Tonight they'll want a gay show like Powell and Loy in "Love Crazy."

The perfect end of a happy day! An uproarious comedy with gals and song! Marx Bros. and Tony Martin in "The Big Store."



"Hey mister! Take me to see Clark Gable and Rosalind Russell tonight in 'They Met in Bombay'."



"After this we'll go to that new Wally Beery picture 'Barnacle Bill'."

"Remember! You promised to take me to 'Ringside Maisie.' We had such fun at the last Ann Sothern picture!"



FRIENDLY *in the Summer too!*

U. S. Filmmakers Want Canada to Buy '41-42 Pix as a Consent Decree

Although the consent decree does not apply to Canada, distributors signatory to it are giving serious thought to selling the 1941-42 film output according to the same basis as it will be sold in the States except that buying in packages of five or the full line may to some extent be optional with exhibitors.

Of the five, Warner Bros. is taking the lead and, after several weeks of study and consultation, it reported having virtually decided on marketing its films above the border the same as below it, although for it as well as other distributors more flexibility would of necessity have to be given.

Canadian accounts could be forced to buy in groups-of-five or make do with pictures singly where distributors offered them that way but they could not demand screenings as will be mandatory under the decree in the United States. While distributors might permit full-line buyings in the event de-accessing is not placed into effect on a 100% basis, this would entail some concession on the part of the picture features as to be sold as they come along and it might now be difficult to make a year's contract at proper allocations.

Uniform Contract

In some event it is thought that the consenting distributors are going to make it any more difficult for Canada to get a picture to be better than they can help, but pointed out that if Canada is sold like the States will be held on a basis of contract, and distribution machinery could be kept uniform. Since these laws are to be held on a country on all film, it may be that distributors will make a concession that distribution for Canadian accounts in return for asking them to buy under the contracts that will be in effect on the preferred market.

Canada has always been hooked to American sales under supervision of the Federal Bureau of Investigation at home office over the local selling forces on the other side of the border. In the past, the presence of eastern division managers has also included all of Canada, while other division managers have had the east and south as well as Canada under their wings. All distributors have distribution offices in Canada. Companies have six exchanges in Canada, which are continuing to be the same as they are on this side of the line.

RKO'S FIRST QUARTER NET UP: NOW \$643,926

Net profit of Radio-Keith-Orion Corp. rose more than \$100,000 in the first 13 weeks of this year as compared with corresponding period last year, according to the statement issued Wednesday.

Net Van Wagner, assistant treasurer. After all charges, for the initial 13 weeks of this year, total net was \$643,926 as compared with \$535,088 in similar 13 weeks of 1940.

RKO also reveals that provision for deferred salaries accrued during the period on preferred shares of a subsidiary (Radio-Keith-Algonquin) has been reduced to \$125,000 in the first quarter. Moreover, there is no provision for taxes and the above listed provision for subordinated preferred stock dividends.

Provision for taxes on the total was \$48,402 in the first 13 weeks last year.

RKO ANNUAL EARNINGS 1930-41

Net profit, except as noted:

1930	\$7,074,621
1931	17,005,000
1932	16,085,056
1933	6,291,748
1934	5,253,041
1935	47,159
1936	3,171,213
1937	6,613,174
1938	1,929,721
1939	1,740,908
1940	2,747,472

1940 by Quarters)

First	\$2,376,368
Second	3,076,386
Third	593,216
Fourth	779,936

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Some More of 'Sez You'

Hollywood, June 17. RKO is arranging three more service comedies for the Victor McLaglen production company to be designed for 'The Marines Are Ready.'

Studio is dickering with 20th-Fox to clear titles to the comedies. Sergeant Quirk and Captain Jolly, which clocked in 'What Price Glory' back in 1926.

WB 6-Month Net Profit Up To \$2,782,544

Warner Bros. net operating profit was more than \$1,264,000 higher in the first six months of this year's current fiscal year than in the corresponding period a year ago, according to the provision for contingencies. This hiked the reserve in respect of net assets of subsidiaries operating in foreign territories to \$750,000.

Remarkably strong showing was made despite the deduction of \$411,000 for amortization and depreciation. This hiked the reserve in respect of net assets of subsidiaries operating in foreign territories to \$750,000.

Warner Bros. net is equivalent to 70c on \$700,000 shares of common stock outstanding after allowance for current preferred dividends. Company owed \$33.68 on the preferred share on March 1. Corporation placed its net profit at \$6,381,944 before charges for amortization and depreciation of properties plus normal Federal income taxes. Warners deducted \$266,496 for provisions for Federal income taxes, but estimated that no excess profits tax was due in the six months period.

After eliminating inter-company transactions, the corporation's gross income was \$51,000,000 as compared with \$50,728,824 in the 26 weeks ending Feb. 28, 1940.

Warner Bros. earned surplus as compared with \$1,199,708 in August, 1940, one of the previous fiscal years. Report shows that the company paid out \$95,831 as a preferred dividend last year. In 1940, the corporation's net profit on that date amounted to \$10,932,279 as compared with \$7,445,285 on Aug. 31, 1939.

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Eugene Levy's Hospitality

Eugene Levy, a partner of Paramount operating in Hollywood, Newburgh, N. Y., theatres, is building a hotel in that town that will cost approximately \$1,000,000. It will have 91 rooms, of modern construction, including a cocktail lounge to be called the 'Hotel Club.' The hotel, to be called the Newburgh, will be built on the site of the old Plaza.

SULLY J. McNEGGERS PREZ

Hollywood, June 17. Junior Screen Directors have voted William Sully into the presidency of the organization. Sully, who is a member of the organization, is James Starkey, vice-president; Virgil Hart, secretary; and Edward Mull, treasurer.

Big Seat Sale

Los Angeles, June 17. Largest single theatre seat sale of record was consummated by Fox-West Coast with National City Company for 50,000 chairs. Deal covers around \$50,000, with buy averaging \$8 per seat.

Stanley-WB Upcover

Shrewd Gyp at Newark House; Operator Held

Newark, June 17. Harry A. Kriegl, a number of years operator of the Mayfair theatre here, has pleaded guilty to conspiring to defraud the Stanley Theatre Co. of America and Warner Bros. and was sent to the Essex County jail in default of \$2000 bail. Authorities estimate that close to \$500,000 was involved in the defrauding. Kriegl was charged with padding his payroll and selling thousands of bogus tickets, thereby preventing Warner Bros. from receiving the amount of receipts. Kriegl ran the Mayfair for Stanley-Warner, ready to clear titles to the corporation's 10% of receipts. He supplied the rolls of tickets, checked receipts via the cancelled ticket books. Kriegl had his own ticket rolls printed in Newark, New Jersey, with the authentic coupons. Thus, the gross figures which Kriegl gave to Stanley-Warner, ready to be sold, and the money retained by Kriegl, at his own volent.

Chief of this theatre (he was a number addit) in the theatre is purported to have noted the wrong ticket numbers and to have been sold, and the money retained by Kriegl, at his own volent.

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CANADA MIXES ODEON ON THEATRE BUILDING

Regina, June 17. Because of its wartime policy, the government refused to let the Odeon (Mid-Western) Ltd. to build a new theatre in Regina, Saskatchewan. One would have cost \$300,000 and the other \$75,000. Proposed Odeon theatre in Regina, Saskatchewan, is one of several other houses in western Canada are expected to be affected by the war.

'Wood Camp Show' Continued from page 1

ger, Dick Powell, Joan Blondell, Carol Landis, Virginia O'Brien, Franklin D'Amore, Navy Blues and the rest of the 'Wood Camp' cast. Mark Sandrich directed proceedings, which were held in the theatre script. Whole affair was held under the auspices of the Motion Picture Production Code for Talent and Camp Recreation.

Aim is to produce two shows monthly, even in winter. The show cannot be drafted, the problem of financing the junkets is yet unsolved.

Strong turnout, comprising 22,000 of the 35,000 men in maneuvers, gave the show a great boost. The camp Hunter Liggett, while 15,000 were present at the performance, the rest of the camp members were weary from tiring field work when they came to the show. The show was well received the arrival of the star contingent.

General Charles F. Thompson, one of U. S. Army's ablest public relations officers, now stationed at the camp, said that the show constituted the highest type of public service which could be rendered in the national emergency.

Minut. Exhibs Fears for Product Next Season Not Assuaged by Allied's Chief Counsel: What to Do?

Minneapolis, June 17. Still unable to buy any product from leading major companies as the selling ban for the state goes into its ninth week, in consequence of the passage of the Minnesota anti-consent law requiring distributors to sell their entire season's product, instead of in groups of five under the present law, exhibitors here had their worries aggravated by Abram T. Myers, national Allied States' general counsel. The result is that some of the weaker-kneed boys are sorry about the whole affair and in a near panic, fearful that they won't have sufficient satisfaction to keep their theatres open next fall and winter.

An informal conference with Northwest exhibitors here yesterday expressed the opinion that the Minnesota law is unconstitutional and that there is a distinct probability that the major companies may continue to refuse to sell in Minnesota while it is on the statute books. His views were not at all reassuring to the local bunch, some of whom are very pessimistic. One exhibitor expressed the opinion that "maybe a mistake was made in obtaining the law," and that if it were possible we should have given the consent decree at least a trial run through the state legislature. Northwest Allied exhibitors here expressed their sympathy for the Allied organization and blessing or approval and national Allied States.

Although it sets a precedent that other exhibitors here are following, the first decision of the Appeals Board of the American Arbitration Society, the Ken, Chicago, case refused to specify a year. Complaint was brought for reasons that are obvious and for a change in law. It was found that there is no "some run" problem involved in the case. The exhibitors are providing the Indie Chicago house with a run.

In making that ruling, was one of the first to file a complaint when arbitration machinery was set up. It is not an assurance but an argument of the case to obtain the local board strove to obtain a specific sixth run rather than the seventh now enjoyed under film contracts. An interpretation under the decree is that while some exhibitors are granted, the arbitrators can not specify the time the distributor must offer Sept. 1 when the decree comes effective on the 1941-42 season.

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Isn't doing anything to relieve localities present trouble. The lack of sympathy from national Allied States and the fact that the present law is unconstitutional, as cited on alone also has caused some disgruntlement in Northwest Allied States.

Discons Operated

Myers expressed the belief that the major distributors' first step would be to go before the N. Y. federal court and ask to be exempted from the consent decree selling provisions in Minnesota. He predicted that this, exemption would be refused.

Then the distributors will start a fight in the federal courts to test the law's constitutionality and will seek a temporary injunction to refuse to distribute any film until a validly final is determined, in Myers' opinion. If this injunction isn't issued, the companies would be unable to sell in Minnesota because such sales would involve violation of the consent decree terms, Myers said. In such a case, of course, exhibitors would be up against it for the distributors' delay in making any move also disturbs many of the exhibitors who had been expected that the companies would take steps sooner to break the consent decree and fight to get the state's responsible for additional injury.

Even though as the state legislature doesn't convene again for two years, the present law couldn't be repealed until the next session. Several Northwest Allied leaders, who took the lead in getting the present law repealed, are expected to profess to be undeterred. They're offering to make wagers that they'll get the Minnesota law repealed in two or, sooner, this year than they were made a year ago. "The Minnesota law is a trap to sell in Minnesota, they insist."

It's known here that counsel for the exhibitors here have had their heads together to agree on a common course of action. They are all agreed that they will continue so long to make their decision.

Metes Not Assuring

Benjamin Bernheim, one of the largest independent circuits in the state, one of the Northwest Allied exhibitors who has opposed to the law, conferred in New York with the Ken, Chicago, case manager regarding the local situation. The report brought back by him was that the general public is not making exception in the case of Minnesota and establish a precedent even though the distributor would be unable to sell in the state. They're fearful if they do this that various laws will be passed in many other states necessitating the setting up of numerous different selling systems.

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MOON OVER MIAMI

(Techicolor) (MUSICAL)
Hollywood release, June 14, 20th Fox
26th Century Fox release of Henry King
Hollywood production. Features: Betty Grable, Robert Gray, George E. Stone, Lawrence and Brown, Helms, David...

"Moon Over Miami" is a musical version of "Three Blind Mice," which 20th-Fox turned out only three years ago. Loretta Lee, George E. Stone, McCreary and David Niven... Betty Grable, Carole Landis and their aunt, Charlotte Greenwood...

There's more action, musical and comedy in "Moon Over Miami" than in recent prototypes, with result being a satisfactory entertainment... Picture is for a novel episode, and the songs by Leo Robin and Gus Kahn...

THE BIG STORE

(WIFE SONGS)
Hollywood, June 13, 1941
Metro-Goldwyn-Mayer release of Louis King production. Features: Virginia Grey, Merle Oberon, Douglas Fairbanks, Jr., Charles Laughton...

comb. Picture will get by where previous titles fell, but with little following, but shapes up as a moderate comedy where dull stretches...

Picture is loosely framed, with numerous episodes that can be strung out in the unrelenting style as blackouts. There are three songs...

Groucho gets a job as buy-order-director for Martin, co-owner of the department store. Dumbbell tries to get Martin out of the way... "The Shepherd of the Hills" Hollywood, June 15...

Harold Bell Wright's early novel, "The Shepherd of the Hills," has been made into a feature film... Picture depicts characters and situations in the Ozark...

THE GET-AWAY

Metro-Goldwyn-Mayer, June 16, 1941
Warner Bros. production. Features: Robert Montgomery, Jeanette MacDonald, Henry O'Neill, Dan Dailley, Jr., Brenda Marland, Charles Rogers, James Stewart, Charles Coburn, George E. Stone...

Miniature Reviews

"Moon Over Miami" (20th). Good, light, tuneful and gassy musical will give OK outcome to the family circuit for average biz.

"The Big Store" (M-G). Marx Bros. comedy moderately funny. "The Get-Away" (M-G). Fast action melodrama of G-Men vs. gangsters. Good deal of suspense.

"Broadway Limited" (UA). Mild farce on board a Chicago-New York train for lower-class folk. "Silver Stallion" (Mono). Confused western with a weak ending.

"Emergency Landing" (PRC). Dim chances at the action flick. "Saddlemates" (Rep.). Only a few laughs. "The Shepherd of the Hills" (M-G). Well done.

"The Get-Away" (M-G). Fast action melodrama of G-Men vs. gangsters. Good deal of suspense. "The Big Store" (M-G). Marx Bros. comedy moderately funny.

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Barrimore. Sterling makes cinematic debut as the young man who undertakes the dangerous mission;... Edward Buzzell injects plenty of suspense and excitement in the fast-moving tale of the G-Men vs. crime.

The Saint's Vacation

(BRITISH-MADE)
RKO release of William Stiller production. Features: Basil Rathbone, Cecil Parker, Lesley Newbould, Arthur Page, Lawrence, Lewis Carter...

One supposes that after six scrupulously hunted-for crooks, RKO would actually give Simon Templar a vacation. However, Leslie Charteris' notable fictional character is not so easily lulled.

There is a hint of international politics in this filmmy yarn of Templar and his comedic sidekick, Monty Python, who is a British spy...

Sinclair is slick as Templar, while MacArthur is a bit of a stork. The intrigue that disrupts the vacation plot is a bit cringeworthy...

BROADWAY LIMITED

Metrolite release of Hal Roach production. Features: Henry O'Neill, Dan Dailley, Jr., Brenda Marland, Charles Rogers, James Stewart, Charles Coburn, George E. Stone...

Mildly funny Class B farce, the final of four full-length features Hal Roach produced for United Artists...

"Broadway Limited" title pretty well sums up the story, a series of frenzied situations on board the crack Chicago-to-New York express...

Chief cast interest is Marjorie Weaver, who is given a more intensive publicity buildup as a Jean Harlow successor...

Chief cast interest is Marjorie Weaver, who is given a more intensive publicity buildup as a Jean Harlow successor. "Broadway Limited" title pretty well sums up the story...

SOUTH OF PANAMA

Producer Robert Corp. releases of R. B. Mitchell in charge of production;... Roger Pryor, Virginia Vale, Lela Gold, Robert Gray, George E. Stone...

Yarn is another rehash about foreign spies trying to swipe U. S. aviation and is completely uninteresting comedy. Roger Pryor's radio name...

As an action-meller with a pseudo-suspense plot, the picture is a Class D material, for lower-billing picture.

Pryor is personable and direct as the hero, but he may have a little one could ask under the circumstances, Virginia Vale, as a U. S. aviator, is a bit of a stork.

SILVER STALLION

Monogram release of Edward Finney production. Features: Robert Gray, George E. Stone, Lawrence, Lewis Carter, Charles Coburn, Henry O'Neill, Dan Dailley, Jr., Brenda Marland, Charles Rogers, James Stewart, Charles Coburn, George E. Stone...

Story to this western meller is so common that it may be the result of a merging of two different scripts. It results in a muddled picture...

Film takes its title from silver nag (it's really white) that fights on for the cowboy. There are a few shots of dogs, poisonous snakes, etc., to provide a little excitement...

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EMERGENCY LANDING

United Artists release of William Stiller production. Features: Basil Rathbone, Cecil Parker, Lesley Newbould, Arthur Page, Lawrence, Lewis Carter, Charles Coburn, Henry O'Neill, Dan Dailley, Jr., Brenda Marland, Charles Rogers, James Stewart, Charles Coburn, George E. Stone...

With no more to offer an excite in the way of a marquee trumping than the name of the picture, "Emergency Landing" is a bit of a stork. The picture is a Class D material, for lower-billing picture.

UNDERGROUND



**is so crammed full of action, so perfectly
timed, so strikingly told, so surely headed
for top grosses that it could have been made
by no other company in the business but...**

WARNER BROS.

18 FILM REVIEWS

EMERGENCY LANDING

(Continued from page 16) sets any records. Miss Hughes is the multi-moneyed deb, and Miss Brock her stunt... during her escapades. For an indie picture... William Beaudine, the director, made the most of the sa... possible... Miss Hughes... and... makers. Most action spots could better merchandise this picture... with the girls.

It circles the chairs of factory and family of pudgy William Halligan, an airplane-building tycoon. The life is up to date... wild daughter, and his plant has to do with energy... who have their minds on other things. At no time does Lynn in Macey's extreme turn up anything of arresting nature.

SADDLEMATES

Republic release of Louis Gray production... features Gale Storm, directed by... McClellan and Karen Lehman... Coit MacDonnell, camera; William Hobbs;... Reviewed at Colonial Lincoln...

Miss Brooks... Robert Livingston... features Gale Storm, directed by... McClellan and Karen Lehman... Coit MacDonnell, camera; William Hobbs;... Reviewed at Colonial Lincoln...

This latest Three Mesquiteres starrer is standard stuff for the... average... fan fare with a little too much talk... DeMonza and Herbert Dulac... by yelling Indian in last scene...

Mesquiteres Robert Livingston, Bob Steele and Rufe Davis are... Army to seek elusive redneck... painted warmonger. Lynn... masquerades as official interpreter...

Mesquiteres, under Livingston, get... on release trail him to learn he... the bad news... entangles utilization of the... train in time and they, of course...

Gale Storm, as the commander's... and extremely attractive. Davis... and Lynn... and Liv-
ington split the heroic job. But it's Lynn who does the nicest job.

Photography and lighting are be-... seem to have done as good a job as can be expected with mat-
erials at hand, speaking by art-
imulations.

Mr. Washington Goes To Town

Doris National Picture release of 2d... by Walter Weinger, with... camera; Joe Greenblatt; music; Harvey... Running time, 64 mins.

Newest all-colored screen comedy from Hollywood is geared for sturdy... in the... Apollo in Harlem. Because likely of... Washington goes to town... a healthy response in theatres with... patronage.

seems to parade through the lobby at one time or another. The comedian, Maceo Moreland, sends cast lists the absurdities of the yarn into laughable moments. Of the comedian, Maceo Moreland, sends cast lists the absurdities of the yarn into laughable moments. Of the comedian, Maceo Moreland, sends cast lists the absurdities of the yarn into laughable moments.

Orquesta de Senoritas

(Gloria Orchestra) (ARGENTINE-MADE) Buenos Aires, June 10.

Argentine vocal quartet... features... Moreno, Victoria Casaris and Semillina... Directed by Luis C. Amatori...

Nini Marshall, one of Argentina's... features... Luis Amadori, undoubtedly due to the... and the far-fetched... to the director of a...

Handed to George Marshall, the... of Koller and Ariel Cor-
rado... of Marshall, the... of Koller and Ariel Cor-
rado... of Marshall, the...

En la Luz de Una Estrella (By the Light of a Star) (ARGENTINE-MADE) Buenos Aires, June 2.

Argentine production... features... Directed by Enrique S. Dis-
ciple... of Carril is singularly efficient... showing much more but as an actor...

Cyclone on Horseback

RKO-Realto release of Bert Gilroy pro-
duction... features... Tom Gibson; music; Fred Rose and Ray... Running time, 63 mins.

Wilson Edwards, leader of the cow-
boy... by the story but looks promising. Gary... trimming. Charles King, as the... the heavy, tops the action in a typically... all the dirty work for the band of
crooks.

That Certain Something (AUSTRALIAN-MADE)

RKO release of 1941... features... Directed by... Running time, 66 mins.

So-so fare for minor spot in minor zones. Given a city bid, pic zeroed... into a loss on forced two weeks...

TEXAS MARSHAL

(WITH SONGS) Producers Warner Corp. release of... features Art Davis and Kathryn...

Although this western though fam-
ily... of Marshall, the... of Koller and Ariel Cor-
rado... of Marshall, the...

Wilson Edwards, leader of the cow-
boy... by the story but looks promising. Gary... trimming. Charles King, as the... the heavy, tops the action in a typically... all the dirty work for the band of
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crooks.

will get the franchise if Worth... reach a certain point by Wednesday.

Marjorie Reynolds, whose lines... are... of a western gal, enlists Holt's aid to assist her.

There's the usual internal discen-
tion and walkout by the line... with Ray Whitley and Les 'Lasser'
in an attempt to perform the task.

After a shooting fray in which
White is injured, the trio and the... connection and the day is saved.

There's more than the usual share... White, with Whitley as straight man, Letter sings two numbers.

Joint MPTOA

(Continued from page 7)

A new standard contract, features, cancellation, right to exclude, runs and no discrimination clause.

Marcel T. Hertzberg... an elaborate program of speakers was lined up by prexy Kuykendall...

Francis S. Harmon, coordinator of the Motion Picture Industry Cooperation National Defense; Austin C. Kneough, Paramount vice, and general counsel...

J. Noble Braden, executive secretary of the American Arbitration Association... members on the advantages of arbitration under the new government...

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Store Circuit

(Continued from page 1)

Aggregation, making its appearance... of the second floor of the store, said to be a grand number over...

None of the celebs got paid—except... to plug his show or club and also got a mention in newspaper ads with a... poster in the store windows.

62nd Street Chatterbox Spelled... of the store, said to be a grand number over... to plug his show or club and also got a mention in newspaper ads with a... poster in the store windows.

Another angle on celebs got de-
partment stores... by Gerry Morris, wife of William Morris Jr., head of the Morris... office to supply latent for de-

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Here We Come

... on stories in preparation to... of the Islands, used several... title of a tropical musical comedy, now being readied by William Le... Background footage will be shot in Hawaii.

Hey, Madeleine, the boys in the field say we've done it again!

Let me get an earful, remember I'm in the picture, too!



We'll say they're terrific!

Just look at these reports from seven key engagements ...with more good news coming in by the hour!

- SPRINGFIELD . . . First three days even with "Lady Eve"!
- DETROIT First three days leading "Lady Eve"!
- CHICAGO First three days even with "Lady Eve"!
- KANSAS CITY . . . First week even with "Lady Eve"!
First three days of second week 14% ahead!
- LOS ANGELES . . . First week even with "Lady Eve"!
First four days of second week 10% ahead!
- LITTLE ROCK . . . First two days 18% ahead of "Lady Eve"!
- DENVER Now in third week, and business to date is ahead of first week!

DEPEND ON



FRED MACMURRAY • MADELEINE CARROLL "ONE NIGHT IN LISBON"

with Patricia Morison • Billie Burke • John Loder • Dame May Whitty • Edmund Gwenn • Reginald Denny • Billy Gilbert
A Paramount Picture Produced and Directed by Edward H. Griffith Screen Play by Virginia Van Upp Based on a Play by John Van Druten



Inside Staff—Pictures

One of the rarest coincidences in racing history—and that's what Jim Luntzel, p. a. for Jules Levevy's 'Tight Shoes,' claims it was...

In a case recently tried by Harold M. Goldblatt in the N. Y. City Court on behalf of Carl Asmussen to recover against an exhibitor...

The Storm King, Cornwall, N. Y., which has filed a complaint asking for a change in clearance, is only four years old but has had 12 operators...

Sale of Metro picture benefit only on percentage, as indicated by William F. Rodgers at the Motion Picture Theatre Owners of America...

'Kings Row' is still sitting on its throne, with no prospect of stepping into production for several weeks, Warners had made a deal for the loan...

The proposed \$2,500,000 realty development at Mount Vernon, N. Y., on Harry M. Warner's property is, actually, that of a private retractor.

Directors of Walt Disney Productions, Inc. have ordered deferment of the quarterly dividend due July on preferred stock...

Warners is getting around the lack of full radio coverage in its musical pictures by making use of special song trailers to take the place of air plugs.

Discrepancies between the actual expenses of film stars for publicity and the amounts charged of their incomes are being examined...

Camera department at 20th-Fox is guarding details of a new photographic process of clarified focus for widely extended range.

Life of Orson Welles was dramatized in Spanish recently during the week-end program produced by NBC's home theater series...

Low-Lewin, United Artists producers, got in line behind four other studios that week for right to the picture...

'Underground,' the Warner Bros. picture which cashes in on the idea of a mysterious public radio in Germany...

'Because of current timeliness of 'Tamparis We Watch,' feature on Alvin Karpis and his associates was originally scheduled...

RKO's Sked

Continued from page 1

Daniel Webster, 'Best of the Past' and 'Lady Scarface.' These will lead off the salesman on the 1941-42 season...

In addition to 'Kane,' which through roadshowing, is held off this year's schedule for the 1941-42 season, RKO has 'Fantasia' but will play that film on takerover from Warner...

In speaking of the consent decree, the distribution department points out that all of you are by this time familiar with the general principles of how to operate the plan...

'Under consent decree selling,' it is added, 'is a new type of a former salesman will find himself trapped very quickly...

The salesman will not only have to sell to the exhibitor, but also to sell it to familiarize himself with the stories, possible audience reaction...

The 1941-42 season will therefore be interesting because of the new experiences, the unknown developments it holds in store for us...

RKO's current season (1940-41) has been its best, Smith pointing out that as of June 15, 1941, United States and Canada RKO has closed 10,899 contracts...

The Get-Away (M-G) 6/11, Riches of Myra (Col) 6/12, Gangs! All Here (Col) 6/14...

On Monday (18) also Cross Smith, western sales manager, discussed experimental selling under the decree and Bob Mochrie, eastern division manager...

RKO convention is the first to be attended by all division theatre operators of the company plus its field salesmen...

Par Slate

Continued from page 5

I was a Printer on DeWitt Island (Col) D, Barnacle Bill (Col) 6/12, Caught in the Draft (Par) 5/28...

Two in a Tost (Col) D, Wings in Music (M-G) 6/11, The Big Show (Col) 6/11, Roving Landlord (Par) 6/11...

Bloods in Society (Col) C, Son of Davy Crockett (Col) 6/11, The Big Show (Col) 6/11, Dance Hall (Col) 6/11...

FILM BOOKING CHART

(For information of theatre and film exchange bookers VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarterly period...

Key to Type Abbreviations: M—Melodrama; C—Comedy; CD—Comedy Drama; W—Western; D—Drama; RD—Romantic Drama; M—Musical; F—Fugue; etc.

Table with columns for film titles, studios, and dates. Includes 'They Dare Not Love (Col) 4/30', 'His Man in Black (M-G) 4/12', etc.

Table with columns for film titles, studios, and dates. Includes 'Her First Bean (Col) 6/11', 'A Woman's Face (M-G) 6/11', etc.

Table with columns for film titles, studios, and dates. Includes 'The Know All the Answers (Col) 5/21', 'The Girl in the Saddle (M-G) 5/21', etc.

Table with columns for film titles, studios, and dates. Includes 'Naval Academy (Col) 5/28', 'Love Crazy (M-G) 5/14', etc.

Table with columns for film titles, studios, and dates. Includes 'Adventure in Washington (Col) 5/28', 'Riches of Myra (Col) 6/12', etc.

Table with columns for film titles, studios, and dates. Includes 'Mata Hari (M-G) 6/11', 'Wings in Music (M-G) 6/11', etc.

Table with columns for film titles, studios, and dates. Includes 'The Get-Away (M-G) 6/11', 'Riches of Myra (Col) 6/12', etc.

Table with columns for film titles, studios, and dates. Includes 'Hats Off to Rhythm (Col) 5/28', 'Band Out for the Rockies (Col) 5/28', etc.

Table with columns for film titles, studios, and dates. Includes 'Breastbeat of the Campus (Col) 6/11', 'The Girl in the Saddle (M-G) 5/21', etc.

Table with columns for film titles, studios, and dates. Includes 'I Was a Printer on DeWitt Island (Col) D', 'Barnacle Bill (Col) 6/12', etc.

Table with columns for film titles, studios, and dates. Includes 'Two in a Tost (Col) D', 'Wings in Music (M-G) 6/11', etc.

Table with columns for film titles, studios, and dates. Includes 'Bloods in Society (Col) C', 'Son of Davy Crockett (Col) 6/11', etc.

The Old Percentage!

You've got a year-round business. Do a year-round selling-job. The percentage is in your favor.

% % %

Campaign your house . . . campaign your lobby . . . display your theatre as the best place in town to spend an evening no matter what picture you've got. But get some enthusiasm into it . . . as though you believed it yourself.

% % %

Bright, colorful display . . . shining with promise . . . that's how to do it.

% % %

For there never has been so much "come-hither" in Theatre Advertising as you find today in the Three Best Seat-Sellers.

% % %

- *Sparkling with showmanship.
- *Sparkling with selling-flair.
- *Sparkling with sales-appeal.

% % %

Go over the line item by item. You'll find *ticket-selling-helps* you'd never even think of unless brought to your attention. Many of them ridiculously low in price . . . but big in result-getting.

% % %

Yes, sir! . . . The percentage is in your favor when you buy Trailers . . . Lobby Displays and General Accessories from

NATIONAL SCREEN SERVICE
Advertising Accessories, Inc.
NATIONAL SCREEN ACCESSORIES

... Prize Baby of the Industry!



Financing Josephson During Writing of a Book on Victor Hugo

Twentieth-Fox is embarking on a policy of subsidization of an author who is to be writing a book in partial fulfillment of the plan of buying screen rights to tomes before they are written, which has been indulged in by Paramount, Columbia and RKO. Fox story department has agreed to buy the work on a deal by which it will finance Matthew Josephson while he authors a volume on Victor Hugo.

Scheme is to provide him with the money as an advance on the screen rights if and when Fox buys them. Studio automatically gets an option. It loses its advance if it doesn't purchase the rights. Doubleday-Doran has contracted to publish the book.

Book, "Victor Hugo, British producer, is endeavoring to buy 'Hankow Returns' as an Entomologist, but is being outbid by the Sino-Jap war act to be published in this country by Houghton-Mifflin. Paramount and other American studios are also interested in the story. The rights of Metro's buy of 'The Jolly Building,' by A. J. Liebling, belong to the studio. Fox has created film interest. Story is an oldie, 'Tummler,' which 'Yok-Job' was the name of the character. 'Tummler'—Yiddish for conniver—is about a character on New York's East Side who spends his days being very fancy looking neries (not of 'carboid and spit' for very little coin). 'Jolly Building,' which ran in three installments, brought \$5,000. Liebling was also offered a film writing contract but has other plans. Herl Mahelme, of the William Morris office in New York, handled the deal.

Spikes UA

Continued from page 5
to pay for stock that pays average dividends of \$65,000 a year and has earned \$90,000 a year for the past five years. "We're trying to stick the lady around."

(Sources in New York familiar with UA affairs declared yesterday that Jaffe's friends were exaggerated.)

Seitnick, who said he will be entirely remote for a week to 10 days, is expecting Brown on Thursday. "They'll confab with Korda, who came into New York Monday for a day and a half, and with other stars. Seitznick, while in New York, will also parley with Rose Franken and her husband, William Brown Maloney, on their going to the Coast to do the screen treatment of their stage play and musical, 'Claudia.'"

As for reports that the UA home office might be moved to the Coast, Kelly said it had been considered for some time during the past year and was no more imminent now than at any other time. "We've survived this year in the past," he said, "and will again," he remarked. UA head commented reports that reps of the studio on the lateral contract have resigned and the principals themselves will act as the board.

How Attorney Figures It

Sol A. Rosenblatt, attorney for Mrs. Sylvia Fairbanks, at a conference yesterday (Monday) entered a protective suit against the sale of her stocks to UA on the grounds that the price was too low. He contended that the price was below the value of the owners' stocks at book value plus 25%, and set the worth of the Fairbanks shares at \$1,000,000 and \$1,250,000. He said the latter figure was based on the company's earnings during the past year.

Computing the value on dividends plus 25%, Rosenblatt declared, would make the price \$750,000. If determined by UA earnings during the past 18 months, he said, the value would be at least \$500,000.

MARION IN DEMAND

Marion Martin draws three player assignments at RKO following completion of her present job in 'Mexican Splendor.'

Three chores are 'Unexpected Uncle,' 'The Marines Are Ready' and 'Weekend for Three.'

TULLY LOSES

His \$50,000 Claim Over Pat Picture Kaymed

Jim Tully's suit for alleged violations of the Civil Rights laws against Josephson and Howard, Odesco Productions, Inc., and Paramount Pictures, Inc., was dismissed Friday by Judge John C. Knox in N. Y. federal court. Tully's suit was based on the fact that Case had been hanging fire for some two years.

Tully named his name had been used without permission in the advertising of Howard's picture, 'Home Town,' produced by Odesco and released by Fox.

NEW CARMEN, DETROIT. NOW MAY UNSHUTTER

Overruling the lower court order, the Michigan supreme court has granted the firm of Gorelick & Marshall the right to continue production of the picture, originally ordered closed for four years. The large and expensive name, dark now for nearly a year since it was completed, was being continuously held in escrow as the owners void a lease for a parking lot they have with Joseph Mitchell, who ostensibly had withdrawn from the further plans for the Carmen and the house was built. Mitchell also went into court and it was a disguised ownership, his former partner still was interested, and obtained a circuit court order prohibiting the house from opening for four years. The court has overturned the original arrangement.

The Supreme Court ruled that Mitchell was not to be held responsible but that the present owners make it entirely remote by severing even the lease with him for a parking lot.

Col. Editors Busy With 10 Features, One Serial

Production of the picture, headed by the Columbia cutting rooms with a new high of 10 features and one serial.

In the editing process are 'Our Wife,' 'Mr. Jordan Comes to Town,' 'The Officer and the Lady,' 'Blondie in Society,' 'Elery Queen and the Perfect Crime' and 'The Mystery of Sam Matherly.' 'Tillie the Toiler,' 'The Son of Davy Crockett,' 'The Mystery of Dodge City' and 'The Spider Returns.'

Kayo Standard Pict's Suit vs. Du-Art Labs

Suit of Standard Pictures Productions, Inc., against Kayo Standard Laboratories, Inc., for \$50,000 damages was dismissed Friday (N. Y. federal court) by Judge John C. Knox in N. Y. federal court.

Action claimed Du-Art had used Kayo's pictures in their newspaper print and accessories of the picture, 'The Heavies at Home.' The action asked the return of the picture, but damages of \$50,000. Suit was dismissed for failure to prosecute.

Must Try Reveis' Suit

A plea for summary judgment by RKO Radio Pictures, Inc. and four screen writers to dismiss an infringement action against the firm of Solomon was denied Friday (N. Y. federal court) by Judge John C. Knox in N. Y. federal court. The action was brought by the firm of Solomon, who had been accused of copying the picture, 'The Heavies at Home,' from 'It Goes Through Here,' play written by Solomon, he says. Other writers on the screen are Max M. Brocks, Eddie Davis, Anthony Veltell and Mortimer Officer.

Benta Cooks Off

Hollywood, June 17. Benta, Ice star who got hot enough to skate off the lot when Royce Lewis in 'Ice Capades,' cooled off enough to return to the set, was featured in a convention until the company is ready to screen completed product and discuss.

Georgia Drouth Hits Theatres Hard for Power

Picture theatres throughout this area are a bit this week because a state-wide water shortage has forced the Georgia Power Co. to place all industries it serves on a weekly allotment basis, on 37 of normal use. Longest drought in 10 years is being experienced, with discouraging to exhibitors, power clampdown soaking exhibitor hard. Several theatres are being closed, including the 2,800-seat Roxy here, the 1,500-seat imperial in Augusta, and the part-time operation of the 1,100 in Brunswick. Last named is a 1,500-seat house.

Actual shortage of power became effective at 8 a.m. yesterday (Monday). The value of electricity was brought good response in the past week, it was deemed not sufficient to meet the present emergency.

With summer weather in full swing this allotment of electricity will hit theatres which must depend on air-conditioning to attract patrons. Cooling systems must be trimmed so that there is a difference of not more than five degrees between outdoor and indoor temperatures. Order also eliminates all ornamental signs.

Agent Has No Rights in Film Idea, Court Rules

An important ruling holding that a salesman has no rights in copyrighting an idea and the film idea as a salesman lists him out of any transactions, was handed down in N. Y. supreme court in connection with a suit filed by Emerson Yorke against Arthur H. Loucks and John A. Norling. The court decision.

Yorke had claimed he introduced the two defendants to the Chrysler Motor Ideas and the defendants make two third-dimensional films, the first entitled 'In Tune With Tomorrow,' and the second, 'New Dimensions.'

Yorke, who was paid a commission on the first, demanded on the second, saying that the basic idea was to publicize the business and the idea is almost identical. Bert Meyers and Harold Sherman of Division of Mayers, representing the defendants, argued that having been paid off for the first picture, as a salesman promoter, he was not entitled to have any rights in the second picture which was made a year later.

Decree and War Interest Stimulates Newsreel Biz

Whether it is because of the pending decree, particularly the new interest, or increased interest in war news, the newsreels currently reported are particularly popular. The Paramount and Universal all report increased revenue from newsreel sales. The particular success is due to increased number of exhibitor deals.

Under terms of the consent decree, the newsreels are to be sold separately. Under this system, it is believed that the reels will be offered to exhibitors by mail order and service in getting the best stories put in them first thru as a means of getting the exhibitor to understand that appreciation of this alignment has sent exhibitors scurrying for newsreels. The newsreels are now being offered on a more liberal basis. However, it is reported that Universal, which has a hold under the consent decree, is attracting new business because rated as one of the least expensive issues.

WB and Par

Continued from page 5

is to hold eastern and western sales meetings about that time. That is nearly six weeks hence. Fox is now in a position for making a convention until the company is ready to screen completed product and discuss.

Flexible Billing
'Sergeant Blue' 'Filling Patrol' and 'Norway Blue' plus probable others, will be completed by the end of July. 'Kings of the Bow' and 'The Captives' for 1941-42, are among pictures about ready to go into production.

They see no very or essential difference in selling under the decrease against the past, but believes that the new method of merchandising pictures, to be very flexible so far as sales and possibly some others are concerned, will tend to improve product. When the producer realizes that his pictures must be screened before sold, the probable result will be that such will be handled under the new plan, with the practice of allying pictures through simply because they've been contracted for in advance. It will be virtually eliminated.

Warner's sales head views the new contract for advertising in the trade agents to imagine. He points out that while now a company sells pictures for a certain amount, it is allocated in accordance with value, discussion held concerning the cost of advertising. The agent to open, etc. He sums it up by indicating that in dealing pictures today you're 'no selling them.'

Works Both Ways
Question of industry resistance to terms under a decree issued by a rather open one, but while Sears believes that the average exhibitor will be able to get a better deal at higher percentages for a big picture after viewing it and weighing the value of the picture to the hand when a film is bid, the same values exhibitor will also have to be taken into account.

While buyers are in doubt concerning other relations, the fact being unable in some cases to even book July releases, WB under its contract to distribute pictures for each week through the first week in September. These are definite and definite in decision. The fact of summer heat and any other seasonal sacrifices that might be encountered.

Releases and dates are 'Kisses for Breakfast,' July 5; 'Bride Came C. O.,' July 17; 'Bad Men of Missouri,' July 17; 'Three Sons of Ominea,' Aug. 2; 'Masters of Deceit,' Aug. 2; 'The Aug. 23; 'Dive Bomber,' Aug. 30.

Nabe Wins \$25,275 From UA for Non-Deliveries

Ardmore Amus, Co. owner of the name Bealey, awarded judgment of \$25,275 against United Artists by a Franklin County common pleas court jury. Suit charged breach of the contract by Bealey and Amus as regards to product for delivery in spring of 1938.

The two producers are suing the distributors, has been opened under lease for past several months by Fred Rowland, local circuit court.

Cleaning Up at Mono

Housecleaning time comes to Monogram, where seven features are being produced. The plan is to clean up commitments on the present program and get a start on the new program. The plan is to Seven to be produced are 'The Roving Riders,' 'The Deadly Game,' 'The Mystery of the Mountain,' 'Dynamite Canyon,' 'The Mystery of Saddle Mountain Roundup,' 'The Mystery of the Butlers series for the new program.

TITLE CHANGES

'Motorcycle Squad' became 'Double Cross' and 'The Mystery of the Roving Frontiers' is new tag on 'A Star on His Saddle' at Columbia. The new production 'Blind Man's Bluff' handle on 'Hot Notions' at Warner. 'The Gentleman Misbehaves' is re-titled in Columbia as 'Columbus Angel.'

'The Roving Riders' was shifted to 'Captains of the Clouds' at Warner.

Mediators Hope to Settle Dispute Walkout Soon

Continued from page 5

Although the striking, June 17. Screen Actors Guild, Screen Cartoonists Guild yesterday (16) rejected the proposal of Walt Disney to end the strike. Both unions are hopeful of an early end to the walkout. Disney expects now are ready to make a counter gesture to the latter company move.

Cartoons are asking full Guild shop and reinstatement of all employees as of May 15. Disney personnel are being asked to return of all workers except Art Babbitt, chairman of the Disney unit of SAG. The union is asking a meeting by both factions for appointment of an arbitration board to act on all claims and to study a return plan. Emphasized by Cartoonists that Disney would be allowed to hire outside creative artists even with full Guild shop. Only requirement would be that the return to work within specified time which is compatible with all Guild studio contracts.

On AFL Unfair List
The Central Labor Council, after a long and bitter struggle with the Disney strike, finally ordered that all products of the company be placed under a committee which has the American Federation of Labor, Harry Sherman, Council president, and the Screen Actors Guild. G. Blix composed the mediation committee, issued the following statement:

Two weeks ago the unions in Hollywood which are involved in the Disney Studio controversy requested the Central Labor Council to place the Disney Studio and its products upon the official unfair list of the labor movement. In accordance with the labor movement's policy, the AFL-CIO has referred the matter to the executive board of the Council with power to act, and the board has appointed a committee which has been in almost constant negotiations with Disney since that time. . . . The Federation of Labor unions throughout the United States to refuse to do business with the Disney pictures and to continue to do so until such time as the controversy is settled.

The Screen Actors Guild has joined other unions in pleading full Guild shop and reinstatement of all Screen Cartoonists Guild. Several actors, writers and publicity men have been arrested in connection with lines when mass demonstrations were staged.

M.H. HOFFMAN GETTING HIS LIBERTY NAT'L SET

Hollywood, June 17.

Liberty National Pictures Corp., headed by M. H. Hoffman, is lining up the first feature film to be filmed for the 1941-42 program, which includes 12 to 16 features to be produced. Hoffman is now planning to make makers under franchises.

Remainder of the schedule will probably be produced on the RKO-Pathé lot.

Robinson Moves to M-G

Hollywood, June 17. Metro borrow the picture 'The Robinsion from Warner for 'The New York Story,' a newspaper yarn, which will be produced by Sam Marx produces and Mervyn LeRoy directs.

Dr. Gallup's Shorts

Dr. George Gallup will do the commentary on 'Edna's' new series of shorts based on surveys of public opinion. The shorts will be in 'Gallup Reviews' . . . new series of shorts based on surveys of public opinion. Briefs will be produced by Film Institute, Inc., and will be distributed by the Public Opinion. Briefs will be produced by Film Institute, Inc., and will be distributed by the Public Opinion. Briefs will be produced by Film Institute, Inc., and will be distributed by the Public Opinion.

CHURCH BINGO

BLAMED FOR OFF B. O.

Atlantic City, June 17. Bingo games conducted in churches were listed among chief causes accounting for decline of from 50 to 75 per cent in picture business by Allied Theatre Owners of New Jersey at its 22d annual convention at the Bilt-Carlton hotel. The conference is in conjunction with Allied States Association of Motion Picture Exhibitors and regional vice-presidents of Eastern Seaboard.

Convening in general session Saturday (14), the theatre men in a discussion led by Lew Newbury, of Manassas, retiring president, viewed with alarm the decline of the picture business throughout the country.

In addition to bingo and slot shows conducted by the churches and schools, night baseball games, motion pictures at army camps and double features were given as causes.

The convention tabled endorsement of a state law limiting motion picture programs to 135 minutes on grounds it might be another step towards state or federal control. It pledged cooperation with the government showing defense and patriotic results.

Harry Lowenstein, of Newark, was elected president of the association. Morris Miller, of Passaic, vice-president, and Dave Matt, of Little Falls, secretary. Ralph Wilkins, of Pittman, was re-elected a v. p.; Dave Snapper, of New Brunswick, treasurer; Lewis Gold, of Newark, and Harry Hecht, of Passaic, re-elected to the board of directors.

Navy Town's Addition
Bremerton, Wash., June 17. This Navy town's newest theatre, the Roxey, seating 1,200, opened recently with plenty of fanfare. It is a B. F. Shubert house. A normally around 12,000 pop. Bremerton now has an estimated double that number, due to stepped-up Navy yard activities. J. James Gray is remodeling an old theatre, to open soon.

Film Biz N.G.

Continued from page 1

Harvey Park, Harshay, Pa.; Bunbury-Bloom Ballroom, Portstown, Pa. New 22nd street, like Lake Compagno, Conn.; Canobie Lake, New Hampshy; Jefferson Park, Detroit; Hoop Street Amuse, are only a few of the dance opportunities that are experiencing heavier b.o. takes than they've been led to expect by the in and out of the last couple of years.

In addition there are places like First Side Park, Berwick, Pa.; Budd Lake, N. J.; Riverside Park, Springfield, Mass. are examples of a string of spots who have resumed the use of name outfits after being discouraged to the point of getting along with strictly local names by poor response to the more expensive ones. HERSHEY Park institutes mid-week operation July 8 with Sammy Kaye and the 16th with Blue Baron.

Bookers who have made occasional pounds among various spots the past few weeks are definitely certain that the upswing is due to defense money. They point out that while some operations are finding mid-week dances profitable, the major portion are getting along only by holding their own because patrons are too tired from overtime and forced draught industrial schedules to go to the clubs with less tempting, on weekday nights.

It's not unusual for band agencies to be short of bands at this time of the year. It is bands that mean something at the b.o., but it is unusual for them to be almost completely sold on everything they have. All of the offices claim that they have something worthy of mention to offer for virtually the entire summer.

Various roadshows in the New York area are doing heavy bit, too, and in all kinds of weather. Saturday night (14) Charis Spivak's band played 4,510 patrons into Grand Island Casino, New Rochelle, N. Y., and the spot's Saturday night band, Vaughn Monroe, at Meadowbrook, Cedar Grove, N. J., gave that spot its biggest opening night last week (11) and on Friday (13), with rain coming down in sheets, played to over 1,200. Rustic Cabin, with Alvino Rey, is doing equally well. The spot is not in the throes of managing its capacity to 1,000. Blue Gardens, Armore, N. Y. is doing well with Carl Hoff's new band and Log Cabin, also in Armore, is giving a very satisfactory report. Gray Gordon, Teddy Powell replaces Rey at Rustic Cabin, July 4.

EXPOSE SUREWIND THEATRE RACKET

Gang Nabbed in Syracuse Had Clever-Ruse to Mulet Exhibitors — Worked it Coast-to-Coast

SUCCESSFUL TAKE

Syracuse, June 17. Syracuse film house managers, blitzkrieged to the extent of \$3,000 in a new bingo racket, are still blinking their eyes and wondering what it's all about while their customers, instead of happily shouting, 'Bingo!' are loudly crying 'Take!'

Arrest of a gang and conviction of two men who admittedly 'took' Syracuse bingo houses for \$3,000 in little more than a week, is causing a clamor. Police, too, are in a quandary. The two ringleaders paid \$500 fines after their conviction and reported that their racket was spread throughout the country. But the gang still walked off with \$2,000 profit and it appears neither the police nor the house managers can do anything further.

Ten days of investigation was eliminated when six persons were taken into custody. After all the facts had been freely admitted, four of the men were taken to the city jail. Calvin Silber and Walter Brannan, both of Cincinnati, pleaded guilty to conspiring to defraud Albany, N. Y., operator of the Brighton Theatres, out of an automobile in a bingo game.

The gang's plan—which they said was being widely employed in the west and which had been worked out in Ohio after buying the necessary equipment there — was simple. Equipments with a few hundred cards of all types and colors, a small printing press and paste-down numbering part of the gang established itself in a car near the theatre. Two members would enter the house. One obtained the type of card being used in the evening's game and joined his companions in the car.

As the numbers were called off, the group in the car prepared and posted slips of papers bearing the proper number in the blank space of the card. When next to the last number on the card was called, the gang rushed into the theatre and passed to the player therein. Armed with a handful of numbers, they acted on the last number as it was called and shouted 'Bingo!'

That the gang had done well was indicated by the clamor about a nearby lake where it was residing, and by the fact they had won three more cars and \$600 in cash in less than two weeks.

Bingo Rap Appeal

Chardon, O., June 17. Motion for a new trial has been filed by attorneys of L. M. Smith, owner of the Geauga theatre, Chardon, who was found guilty by a jury last week (11) on a gambling charge as result of operating a cash nightingale. The lawyers charged manager of Prosecutor Harold K. Bostwick, saying, 'Bostwick minimized the offense charge against the defendant to the jury and in argument told the jury that the defendant would not be placed in jail or imprisoned if he did not know just what sentences the court would impose, but that he was the defendant would be and deprived of his liberty, would not be placed in jail, thereby indicating that the jury that there was no imprisonment attached to the penalty for the commission of such crime, all of which is contrary to law and to all of which the defendant excepted.' The Geauga theatre gave notice of appeal to the county court. Sentence was deferred by Common Pleas Judge Harlan Sperry pending the appeal.

Giveaways, Once a 'Must' in Philly, Slowly Disappear in Film Theatres

Philadelphia, June 17. Giveaways — dishes, dressers, etc.—once considered a must by operators of Philly nabes, are slowly disappearing from the film scene here. Only three houses on the Stanley-Warner circuit now feature the gimmicks out of the 35 to 40 which had them a year or so ago. Even the Indies are cutting down gradually. Exhibs claim the interest in the premiums has been waning of late.

A manager of a house in West Philly said that many patrons refuse to take the dish of the night. Others take them and leave them behind in the theatre. Some start to collect the dish sets, getting the larger pieces, then neglect to show up at the theatre when the small stuff, salt shakers and the like, are on tap.

An official of the Warner chain explained that managers have been ordered to build up their programs via shorts, better exploitation, etc. The only houses in the circuit still handing the come-ons to their customers are the Ogontz, Forum and Liberty—the latter two in the heart of the trial area. Even these houses intend to drop the premiums in the near future.

Court Okays Cash Giveaways on Coast

Los Angeles, June 17. Film theatres in Orange County are permitted to hand out cash prizes, under a ruling by Judge Cameron in the case of five Fox West Coast-Artiur chain houses charged with conducting lotteries. Court decided that the giveaway was not a lottery because the general public was not prevented from registering in the weekly cash drawings, whether it paid admission fees or not.

Theatres involved in the case were the Broadway and West in Santa Ana, the Fox and Anaheim in Anaheim and the Fox in Fullerton.

Butterfield's Newest in Michigan

Detroit, June 17. Butterfield Circuit has opened its new Michigan, in Traverse City, re-torn center in northern Michigan. The new house brings the chain's houses close to the 120 mark.

The Rise and Fall of JOSEPH SCHENCK*

The Rise and Fall of Joseph Schenck is a discordant Symphony in Gae Whitt on the Horatio Alger theme. From rags to riches—and where next? One of the most powerful figures in the moving-picture industry, Joe Schenck is facing prison. When he was on trial in the federal courts of New York, Will H. Hays, czar of Hollywood, guardian of the cinematographic moralities, took the stand as a character witness. So did Charlie Chaplin and many others. Yet Mr. Schenck was convicted; he has appealed the verdict.

Between the long-time when Joe Schenck and his family arrived here from Russia and the rendering of this verdict by an American jury, this story of an immigrant's rise to wealth and power and service was acted out on a melodramatic stage. Joe was there when the movies were first gathering themselves together into a get-rich-quick crazy quill. His married one of the brightest stars, Norma Talmadge—then lost her to a younger man. The President of the United States called him Joe. It was that same Joe who thought up the March of Dimes idea for the infantile-paralysis fund—Joe Schenck, now accused of cheating his government!

"Yes, I was guilty—of carelessness, and nothing else," he told Alan Hynd, "What happened to this man? On the difficult climb up the ladder his feet did not visibly falter; not until he was on the topmost rung did his foot slip."

Behind the tale our newspapers told of all this there is another story—that might be called the case history of Joseph Schenck. To get at the facts, Alan Hynd has talked to Schenck's friends and to his enemies. Mora, for days on end, he has talked with Schenck himself.

Did Mr. Schenck, before he laid the foundations of his first fortune, sell opium to the Chinese? Mr. Schenck admits he did just that. But it was not illegal to do so in those days. He told Mr. Hynd all about it—and much more. Not a whitewash, and certainly not an attack, the story of the Rise and Fall of Joseph Schenck, which begins in Liberty this week, is a candid character study—one of the most interesting that Liberty has ever published.

*Excerpt from an editorial by Fulton Oursler

Liberty 5¢ AT YOUR NEWSSTAND NOW

New York Theatres

LAST WEEKS
THE AMAS
From Radio City to Radio 67
BROADWAY 42-53
Admission: 10c to 50c. Sen. 50c to 75c

Start There...
A-B-C Schedule
Features
ROBERT TAYLOR
as **"BILLY THE KID"**
A Metro-Goldwyn-Mayer Picture

State
Starts This Week
with **THE JUNGLE**
with **JOHN GARFIELD**
in **"NORWICH"**
with **JOHN GARFIELD**
in **"NORWICH"**
with **JOHN GARFIELD**
in **"NORWICH"**
with **JOHN GARFIELD**
in **"NORWICH"**

TO RISE WITH THE
CITIZEN
KIDNAPERS
IPALACE
Held Over 2nd Week
Food
Marilyn
Belle
In Person
VINCENT LORETTI
VINCENT LORETTI
VINCENT LORETTI
VINCENT LORETTI

PARAMOUNT
HELD OVER 2ND WEEK
Food
Marilyn
Belle
In Person
VINCENT LORETTI
VINCENT LORETTI
VINCENT LORETTI
VINCENT LORETTI

MUSIC HALL
"SHE KNEW ALL THE ANSWERS"
Spectacular Stage Productions
Helm Retained as Biz Rep
Hollywood, June 17. L. C. Helm has been unanimously re-elected business representative and succeeding and succeeding secretary of Studio Utility Employees Local 724. Helm's officers re-elected without opposition are Matt More, president; Von Braun, vice-presy; and H. C. Rohrbach, financial secretary.

OPENS FRIDAY, JUNE 20
IDA LUPINO
JOHN GARFIELD
in a New Warner Bros. Hit
"OUT OF THE FOG"
Directed by Anatole Litvak
10c to 25c
QUY LOMBARD
And His Royal Canadian
STRAND B'way & 47 St.

Weber Tells Mutual Affiliates

Wheeling Steel Goes To NBC As

Anti-ASCAP Political Strategy

Wheeling Steel Co. has cancelled its Sunday matinee musical show on Mutual as of June 18, 1941, and is an NBC-blue hook this fall. NBC is to get the actual order from W.C. Rubicam on Monday.

Webster, MBS general manager, last week sent a memorandum to mutual affiliates explaining the circumstances which lead up to the cancellation. The memo follows:

"You will hear many conflicting stories on Wheeling Steel's cancellation on Mutual after the broadcast of June 22, 1941. The facts are further demonstration of the control NBC exercises over the radio, especially in markets where there is one only satisfactory station."

"This is the case with WVVVA, Wheeling, recently transferred from Columbia supplementary and added to basic Blue in the market in order to serve Pittsburgh's market area where WCAE goes Mutual and KDKA goes Red. The week before Mutual completed its Mutual-ASCAP agreement, the advertising manager of Wheeling Steel wrote Mutual stating that he hoped the deal was completed. However, since we don't understand why Mutual chose to eliminate ASCAP music from its programs. He was requested to use ASCAP and other music so as to broadcast the best possible program. He then stated that he agreed to do so, which is under influence from NBC, not to use any ASCAP music, and since WVVVA originated the show he was going to restrict the music from all stations at WVVVA's request."

"He was then told that WVVVA could feed Mutual under clearance of the source without individual station license. Then at least two stations affiliated with Mutual and other networks which they could not carry Wheeling with ASCAP music even with infringement expense. Wheeling's general advertising manager was then acquainted with the boycott aspects of the incident. He was then requested to cancel and caused his cancellation order, because he agreed with WVVVA to follow NBC's policy. He was then told to inform stations with this attitude of ASCAP music on a Mutual music program."

FORD SUMMER SINGERS
RECEIVE \$500 FEE

Hilda Burke, Eleanor Steber, soprano, and Leonard Warren, baritone, all of the Met, have been set for the Ford Summer Evening show, Warren goes on July 6, Miss Steber on July 18, and Miss Burke on Aug. 17.

All set the same fee, \$500.

Name Studied Treasury Program

Lineup for the first Millions For Democracy program, the Treasury Department's series in the Treasury-aided hour Wednesday nights on WABC, includes Secretary of the Treasury, Hugh B. White, and Oscar Levant, George Moore, and from Hollywood, Charles Laughton, Miss Rooney and Fred Allen. Fred Allen will direct. Fred Allen and Al Goodman will share a 25-piece band and a vocal chorus. Larry Elliott will announce. No talent is definitely set for subsequent shows.

'Info, Please' Skit Lined Up Plus Grace Moore, Laughton, Rooney-Garland—Al Goodman Orch

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Scott Colton From Films Now Spels at WHN, N.Y.

Don Ameche's radio-to-theaters route is reversed by Scott Colton, new addition to the announcing staff of WHN, New York. Scott was in films for several years, but came east to appear in Jack Kirkland's "The Sign of the Cross" in New York. He entered a regular announcing position at WHN last week with the mike assignment.

Royal Baking at Elks

Standard Baking has shifted its Royal Baking Powder account to the Royal Gelatin Desserts and Royal puddings accounts. Bakeries with virtually the same setup as at present.

JOE STAUFFER SHIFTS

Gets from Young & Rubicam to Kenyon & Eckhardt in N.Y.

Hollywood, June 17. Joe Stauffer is leaving Young & Rubicam as Coast radio director for Kenyon & Eckhardt in New York. Likely that Tom Lewis will come west to head up Y & R radio activities so as to be with the missus, Loretta Young.

After graduating from West Point and passing a year with the U. S. Army, Stauffer came to Y & R in 1934 producer of shows for General Foods, Borden, Colgate, Packard and other agency accounts. He was moved to Hollywood in 1938 to produce the Packard show and a number of Hollywood radio shows for the outfit's Coast programs. Two years later he was made manager of Hollywood office upon the elevation of Tom Harrington to head of Y & R radio department.

Tyler Davis is leaving Kenyon & Eckhardt as Aug. 1. He has been the agency's radio director for five years.

Elisabeth Rethberg Of Metropolitan Opera To Sing on WOR, New York

Elisabeth Rethberg will appear with the Metropolitan Opera for a series of 10 broadcasts starting July 11 on WOR, New York. The Metropolitan opera office will schedule a week with the program scheduled for every Friday from 9:30-10 P.M.

Other featured artists include soprano containing Lidier, French, Italian songs and operatic airs. Michael De Bono, general representative and manager of the singer, set the deal.

SANTA BARBARA MEET MAY HEAR BLACKETT

Hollywood, June 17. Radio will have its day July 1 at a Sunday convention of Pacific Advertising Club Ass'n at Santa Barbara beginning June 29. Donald W. Ricketts, CBS Coast chairman, is chairman of the radio department, is lining up speakers and has a number of promises from Bill West, agency exec, to do a turn on the rostrum.

West will be represented at the conclave by Thornburgh, Harry With and George Moskowitz, CBS; Don Gilman, Syd Dixon, Arthur Moore and Bob McAndrews, NBC; and Louis Allen Weiss and Wild Ricketts, Don Lee-Mutual.

1,800 AT PICNIC OF WLW'S MALIBU CLUB

Cincinnati, June 17. WLW's seventh annual picnic for members of its Malibu club, held Saturday (14) in Sharon Woods, many park, set a new attendance high. More than 1,800 Maliburgers from 100 to 1,000 papers in 10 states were present. Among them were numerous physically handicapped men and women. They crunched and in wheelchairs. They brought their own baskets of lunch. The station furnished soft drinks, ice cream and confections.

Refreshments were served at the outing by these Crosby staffers: Happy Hill, O'Halloran, Thrasher, George Arnold, Joseph, and Ronnie Mansfield, Jack Fulton and Arthur Chandler, Jr. They and Bill Sughenbush, Malibu program engineer, were luncheon guests of Maliburgers.

Old Orchard as Usual For Fred Allen's Leaf

When Fred Allen completes his Texaco series with the June 25 broadcast and does his guest mike assignment on the first Treasury Dept. program the following week (2) in the same Wednesday night spot on CBS, he'll head in for his place on the radio, Char. Me, to spend the summer. He has no other plans and not even a speck of idea of any new Hollywood deal.

Full series for Texaco starts Oct. 1, probably with virtually the same setup as at present.

Lyneburgh, Va.—Edward Dale Steiner, WLSL, W. Va. station, Chicago, joins WLSL in Roanoke.

LEWERS WANT TO HEAR 'EM ALL

Ruthrauff & Ryan is still scouting around for a program to replace the half-hour which it has bought for Lever Bros. on the NBC-Red's Saturday morning schedule. The agency would like to replace 'Big Town' on CBS during the summer. Starting date is August 19. The show is to be replaced July 29. The stanzas will play Rino and Spry.

It is already known already been submitted to Lever Bros. for the two spot. This is in line with the Lever policy to hear everything that's available so that the board in Boston which does the picking won't regret later it had overlooked a good bet that might have been at the time.

More Family Cycle As 'Date With Joanie' Is Set As Hope Replacement

Hollywood, June 17. Cued by the success of 'Jinky Family' on NBC, the agency will try out a carbon, 'A Date With Joanie', the Bob Hope spot this summer. Bill Lester, producer for Hope, acts as producer.

Audience tests under way with Paul McGrath, New York stage player, and Ann Gillis, blonde, featured for the roles.

Summer season sets June 24 from NBC in Hollywood.

5,000 AT PICNIC OF WLW'S MALIBU CLUB

Cincinnati, June 17. WLW's seventh annual picnic for members of its Malibu club, held Saturday (14) in Sharon Woods, many park, set a new attendance high. More than 1,800 Maliburgers from 100 to 1,000 papers in 10 states were present. Among them were numerous physically handicapped men and women. They crunched and in wheelchairs. They brought their own baskets of lunch. The station furnished soft drinks, ice cream and confections.

Refreshments were served at the outing by these Crosby staffers: Happy Hill, O'Halloran, Thrasher, George Arnold, Joseph, and Ronnie Mansfield, Jack Fulton and Arthur Chandler, Jr. They and Bill Sughenbush, Malibu program engineer, were luncheon guests of Maliburgers.

Old Orchard as Usual For Fred Allen's Leaf

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Procter & Gamble's Radio Spending For 1941 at Rate of \$10,000,000; Various Program Shifts Pend

MORE QUIZZEROO

Girl Uses WOR Leads With Kids W Adult Climax

Buffalo, June 17. Gulf Gas, through Young & Rubicam, has just taken an across-the-board quiz strip on WOR and is seeding the town with posters to send in your queries for cash. Strip airs at 6 p.m. using two separate quiz shows that were on the station for a couple of years. Monday and Wednesday spot is filled with 'Stump Us' using kid experts headed by Jack Geller. Tuesday's 'What's the Answer?' with adult board.

On Fridays the kids and grown-ups sit down together to answer.

Lombardo Booking Snag Adjusted; Colgate Show Saturdays Until Aug. 2

Gay Lombardo's misup with Lady Esther and Colgate-Palmolive-Peet has been adjusted, and the band is now set to switch sponsors. The 'Stump Us' quiz strip, headed by Jack Geller, of America, Lombardo's agency, giving both conventional and exclusive contracts for the band. Until the matter was ironed out last week there was a possibility that both firms might sponsor the outfit at least through July.

Band's present Monday night act for Lady Esther ends up on the July 28 broadcast. Show for Colgate toothpaste starts Aug. 2 and will have with a slightly revised format Saturday nights on CBS. In the meantime, C-P-P will continue 'Colgate Spotlight' and 'City Desk' series, but will move them from Thursday night to 8 o'clock and 8 P.M., respectively. Saturday nights on CBS, effective July 5. Thus the account will go away from Thursday night competition on NBC-Red (WEAF).

'Spotlight' stays on the air only until the Lombardo show switches to C-P-P. Then it folds and the band-leader takes over the 8 p.m. Saturday night 'City Desk' series, having just been renewed for an additional 13 weeks with the same writer-director team. The agency is the agency for C-P-P, Pedlar & Ryan, the agency for Lady Esther, has not yet chosen a replacement show for that account.

Kills Atcheyman, manager of KCKN Kansas City, to the hospital Monday to leave his tonsils.

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O'Neill's 'Ah, Wilderness' For Dupont?

Deal Pends With Transamerican—Would Replace 'Cavalcade of America' Program

Ted Bates Agency Stock Increased to 1,100 Shares

Albany, N. Y., June 17. Ted Bates, Inc., with principal office in New York, has increased its capital stock from 100 to 1,100 shares, no par value.

This effect has been filed in Albany by Attorney A. L. Davis of New York City.

Jerry Lester Catching On

Hollywood, June 17. Jerry Lester rates the best chance at this time of landing as a regular on Kraft Music Hall. Agency and sponsor are impressed with his two guests shows and he was signed for at least three more. After taking time out for five stage appearances, he returns for further air coverage.

Several comedians who were to be tried out during the summer stanza would likely be discarded if Lester maintains his present favoritism.

Procter & Gamble will spend about \$10,000,000 in radio advertising in 1941, according to present indications. Budget is constantly subject to revision, but in view of the several program cancellations of last April, this year's expenditures are expected to total \$700,000-\$800,000 less than the 1940 figure of \$10,000,000. This is still nearly double the amount spent by the next largest advertiser, in addition to not being resented, will not be approved until early fall.

Company's previous decision to drop 'Knickerbocker Playhouse' permanently several weeks ago has since been reversed. The present intention is to bring the show back in the fall, again for Drene shampoo, in addition to P & G is considering taking over sponsorship of 'The Bartons,' NBC blue (W2Z) theater series originating in Chicago. That would be for some other product.

There is also a possibility that Benton & Bowles will launch a new evening show for Ivory soap, starting in the fall. The show, headed by Marlin, now plugging the same product Monday-through-Friday on NBC red (WEAF), with an afternoon repeat on CBS, would discontinue either of the network spots, but definitely intend to stick one hookup, however.

P & G, will grant as long as the station will buy to do its exploitation for DUZ. Distribution of the product is rapidly being expanded, but the reason for the 'Journey' was dropped in the east and now is heard only in the mid-west and west to plug 'Duz' soap, now aired for Duz on NBC-Red (WEAF) and a repeat on CBS, which will be localized in the west. A new serial is bought for the product. However, its station spread is not as wide as it was when it is taken off the other. 'Bachelor's Children' is still a possibility as the additional show for Duz.

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GODFREY ON ALBERS DISCS FOR PACIFIC

Carnation Albers Milling Co. is using Arthur Godfrey on disc among west coast stations. It's on the basis of two morning periods a week.

Erwin, Wasey & Co. is the agency.

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David C. Teague joined the CBS press staff in New York last week. He comes from the Chicago Times, where Louis Ruppel, head of the department, used to work.

ROSENTHAL'S 'PULLERS'

Ex-Stock Company Pair Rears Family Of Pacific Coast Radio Actors

San Francisco, June 17. Jack and Edna Edwards, ex-stock actors now radio, have teamed with their three children to do a real-life family series. Among the five members of the household, they participate in a sizable share of all network dramatic shows here and in Los Angeles.

Principal show, "The Edwards," is heard over an NBC Coast hookup Wednesdays. Family also has a locally-sponsored Building a House weekly stanza based on their actual construction of a model home. In addition, the two sons appear in "One Man's Family" from Hollywood, while one of the boys and the daughter also do "Hawthorne House" here on Mondays. Jack, Jr., does "I Love a Mystery" from Hollywood on Wednesdays and Jack, Sr., does spot dramatic assignments on a number of local production programs.

The Edwards met and were married while playing in stock. They first did radio work in 1926 over WOOD, Miami, during a tour of their own legit musical. Family first appeared together in a radio play, "The Adventures of Sonny and Buddy," which debuted in San Antonio and was later on the Coast under sponsorship of a bread company. All the family have appeared in films, but never together.

PLAN SYMPATHY GESTURE FOR BBC DEAD

Following publication in last week's *Variety* of the first full list of casualties among the staff of the British Broadcasting Corp. a movement was started at the Mutual network, which carries many of the BBC programs, to devise some tangible token of respect and sympathy for the BBC honor roll. At the moment it is to have Raymond Gram Swing, who is going to London to do some White Owl newscasts in July, be the bearer.

A tentative committee was formed to compile the most graceful and practical way to solve it. This committee includes J. M. McCook, Fred Weber, W. E. Macfarlane and Lester Gottlieb, of Mutual; Wick Crider, of J. Walter Thompson agency; T. E. Kennedy, of the New York Times, and Robert J. Landry, of *Variety*.

Bob Trendler Replaces Stokes at WGN, Chicago

Chicago, June 17. Bob Trendler became director of the WGN dance orchestra replacing Bob Stokes. Trendler has been active in Chicago radio for several years, primarily as an arranger, producer and conductor at WGN.

Camels May Use Mutual

William Esty agency is talking to the Mutual network about getting a half-hour program for Camel cigarettes.

Esty may make the first piece of Camel business on that web. **HARTLEY AS NAVY P. A.** J. W. Hartley, chief of the A. E. Schecter in the news and special events department of NBC, has been named as relations officer of the Navy Department in Washington. Arthur Feldman, another assistant, has moved up to become Harlan's secretary. Raymond Stull has been shifted from NBC publicity to succeed Feldman.

Sony Minding Stays at CBS; MCA has 3 More V.P.'s As Result of Takeover

Refusing to return to Music Corp. of America, from whence he'd only recently gone over to CBS as its new headliner, executive v.p. of the Artists Bureau, Lou Minding is remaining at Columbia under v.p. Bill Lewis in the program department. The MCA takeover of CBS Artists includes almost the entire personnel but Minding preferred to continue in the production end of radio, rather than agenting as he had been with MCA.

Incidentally, the MCA-CBS deal adds three vice presidents to Music Corp. of America, two of them from Columbia, Herb Rosenthal and Jack Barlow, and one from the East, Ed McHugh, Jr., has been added to v.p. The other v.p.'s are Bill Goodhart, Jimmy Merrill and Hal Hackbert. J. C. Stein is prez; still acting Billy Stein is first v.p. and Charlie Williams is second v.p. to the Stein brothers, is sec-treas.

MCA in Columbia Square Hollywood, June 17. Music Corp. moved in at Columbia Square yesterday. It took over Columbia Management of California, affiliate of Columbia Artists. Offices will be retained for another 60 or 90 days and then vacated for a concentration of activities in the new building.

Retained by MCA from the Columbia network are Rudolph Palk, Sam Armstrong and Amory Eckley of the sales staff, and several secretaries. William Forbes, manager of Columbia Management, returns to his former berth at CBS as aide to Donald W. Thomas, Coast head, relieved Hal Hudson, given the post of program service manager for CBS Coast network. Of Management's staff of 10, all were taken care of except one, who resigned.

(While the formal consummation of the MCA-CBS talent merger isn't effective for another 60 days or so, already both units are co-operating and coordinating. Each calls on the other for offers of talent, manpower and general alignment of bookings for immediate and through-the-summer radio, sitery and kindred shows, until both units are physically merged in August.—Ed.)

Seeds Has Mennen's Talk, Orders NBC Half Hour

Russell M. Seeds, Chicago agency, had obtained the radio end of the Mennen's account and it had given the agency an order in the name of Mennen for the Thursday 10:30-11 p.m. period for the talk. The program will plug Mennen's hair cream brand.

Tentative starting date is Oct. 9 but the question has come up as to what the network will do with the "Good Neighbor" series now in its spot. NBC had had no plan for the sustainer and the problem meanwhile facing it is the finding of another sustaining spot.

H. M. Klesewetter agency had previously handled all of Mennen's radio advertising.

Writers Rap MCA Deal

Hollywood, June 17. A resolution protesting transfer of control by Columbia to MCA without consulting the affected air writers was adopted Monday (16) by the Radio Writers Guild here. Donald Thornburgh, CBS headman in Coast, was the author of the request RWG members are behind the privilege of breaking off with Columbia before deal is consummated.

SAYS FLY THINKS 'SUCCESS' FIVE

Columbia President Before Senate Committee Monday and Tuesday—Mark Ethridge Refusal to Explain His 'Political Favoritism' Charges at St. Louis Convention Angers Senator Tobey

DISMAL VIEW

Washington, June 17. "Come on, damn you, give us the facts! Get down to brass tacks." This impatient remark flung by Senator Tobey, of New Hampshire, at Mark Ethridge, Louisville newspaperman and broadcaster, was a highpoint in the hearing before the U. S. Senate committee on Interstate Commerce hearings on the resolution of Wallace White, Maine Republican, which would set up an investigation of the Federal Communications Commission.

Ethridge himself made the arranging statement that Chairman James L. Fly, held an unseasoned (Continued on page 3)

Anacin, First of N.Y. Hummert Accts. To Use Mutual, Begins June 23

Subway Fall Seriously Injures Princess Narda Of 'Mandrake' Serial

Francesca Lenni, who plays Princess Narda in the recorded "Mandrake the Magician," was critically injured Sunday night (15) when she was struck by a subway train in the 73d street HRT subway station, New York. Physicians at Roosevelt hospital, N.Y., said yesterday (Tuesday) that the actress suffered a fractured leg and internal injuries.

Circumstances of Miss Lenni's injury are confused. She was said to be returning home after a date with Ross Evans, a radio writer. "Mandrake" is heard Monday, Wednesday and Friday evenings locally over WOR, New York, under Purly Tuttle, Bakersies Service Corp. sponsorship. Show is recorded by the Henry Show office, two weeks in advance, so Miss Lenni's absence will not affect the program for that long. No decision has yet been reached on whether to substitute another actress for her or write the Princess Narda character out of the script pending her recovery.

Mutual Network has obtained its first piece of business from the New York end of the Blackett-Sampson-Hummert agency. It's one of the American Home Product brands, Anacin, the order is for five quarter-hours a week, starting June 23. Spot will be 1:30-1:45 p.m. It is understood that the placing of the serial, whose title is "Front Page Farrell," will be the nature of a test and that if the returns are satisfactory the network will receive contracts on other A-H and Sterling Product brands.

From the Chicago B-S-H office Mutual has three half hours on the "Lone Ranger" (General Mills) and five quarter hours on "Capt. Midnight" (Ovaltine). Discussions are also being had for the Jack Armstrong serial (General Mills).

NBC OUTPOINTED BY MUTUAL ON FITTE RIGHTS

NBC's suit against Mutual, Mee Jacobs, 20th Century Sporting Club, and the Gillette Safety Razor Blade Co. for an injunction to prevent Mutual from broadcasting the rights from Madison Square Garden, was dismissed Thursday by Justice Louis Brandeis in the U.S. supreme court. NBC had claimed an oral contract made with the Sporting Club, operators of the Garden, granted it the rights to broadcast the fights.

The court ruled that under the N. Y. statute of frauds, an oral contract not performed in one year (as the case here), is not valid. NBC had claimed it had paid \$5,000 for the rights to broadcast and was to have paid \$3,125 for the first 10 bouts, making a total of \$8,125, but was to have the right to broadcast at the balance free of charge. Mutual is now carrying the fights with Gillette as sponsor.

Marschalk & Pratt, Inc. Revises Capital Stock

Albany, N. Y., June 17. Marschalk & Pratt, Inc., New York, has decreased its capital stock from \$200,000 to \$150,000. Agency reorganization also has filed notices of change of directors and of purchases, with the Secretary of State.

Syndicate WXYZ 'Yukon'

Chicago, June 17. Allen Campbell of WXYZ, Detroit, is arranging on syndication of another WXYZ show, "Challenge of the Yukon," will be syndicated by direct wire similarity to "Lone Ranger," "Red Jordan" and other WXYZ shows. "Yukon" is a 15-minute show twice weekly.

Williams to B.B.D.&O.

Chicago, June 17. Lee Williams returns to the B.B.D. & O. agency here to handle the "Lone Ranger" and "Red Jordan" account, replacing Harold Mesberg. Williams left B.B.D. & O. several years ago and in the interim was promotion manager of the Chicago Herald-Examiner. He was in charge of creative group on Armour for the Lord & Thomas agency.

WINGLASTER A BLUE BONUS WINGLASTER, Wm. J. Jones at NBC-Blue as a bonus outlet Saturday (21). Station is on 1,400 k.c. and operates at 250 watts.

WORDS WIN WARS

There is something both ridiculous and unwholesome in the continuing spectacle of radio broadcasters and commentators being publicly 'accused' of the crime of being pro-British when the official policy of the United States is frankly and completely pro-British. Every time anti-British elements in this country don't get all they want in choice free time from networks or local stations they make this 'accusation.' Networks and stations have been scrupulously, and conspicuously and painfully fair in allotting time for the different viewpoints. Not only do they seem to get small thanks and plenty of sneers from the anti-British propagandists but they are placed in the fantastic position of having to defend themselves of their private thoughts or opinion on the charge that they may agree with the foreign policy of their country. What insanity!

Common sense strongly suggests that American radio cannot much longer continue the farce of pretended 'neutrality' in a country frankly devoted to 'non-belligerency.' The people's airwaves have some relationship to the people's government and the policy of the latter must, in the pinch, be the policy of the former.

There has been full-to-bursting discussion of the lend-lease bill, covering and foreign policy. Nobody can deny that. The networks have kept careful records and have balanced the spokesman of each side. They have little to fear.

Surely there arrives a point of absurdity when discussions that have droned on month after month must be resolved, right or wrong, wisely or unwisely. Endless footnotes and post-mortems and second-guessing to the discussions may end by making a mockery out of free speech. A policy of divide-and-confuse must please the enemies of the United States. A participation (unwittingly and reluctantly, of course) in such a continuing policy cannot please the radio industry.

Words, the savants inform us, won the last war and lost the peace. Most of the words this time are uttered over the radio and the analysis of what has been said, and why, will go on for a generation. Certainly it is obvious that for some—but not all—of the radio-head propagandists words are a method for helping the Nazis win the war and making American taxpayers pay for the peace.

Perhaps now is a good moment to underline a startling word-difference between this radio-argued war and the last pre-radio war. It is the radio-head modern trick of using disarming, innocuous-seeming words that none of the spokesmen who demand and get much free radio time are ever pro-Germans. They are not for Germany, just against Germany's enemies. It's a subtle distinction that will not be lost upon future historians.

Which side is supposed to win this war? Who doesn't want England to win? Why are we taxing ourselves until it hurts?

AFRA Wants All Proposed Changes Thoroughly Known to Membership Before Debating at Convention

Chicago, June 17. Nine proposed amendments to the constitution are being considered by the American Federation of Radio Artists and will be voted upon at the annual convention Aug. 14-17 in Detroit. Meanwhile, they are being advertised via national and various local boards and by its constitutional change committee.

Each proposed amendment is discussed by the national and all the local boards. Each body sends a letter to the committee. Later prepared a digest of all the reports which will be voted upon at the local boards for further consideration. Ideas are sent by the national board to the proposed amendments is ready for vote at the convention, all the locals will be thoroughly informed with each proposal, but also with the attitudes and suggestions of the other locals on the question.

- Proposed amendments are:
- (1) To change the number of national board members from the present 45-50 to 45-60.
 - (2) To fill vacancies on the national board by election of the membership of the local concerned.
 - (3) To change the date of computation of proportional representation from May 1 to April 1.
 - (4) That locals with membership of less than 100 shall be included in computation of proportional representation and representation of such locals shall not be more than two nor more than 10 and serve for three years.
 - (5) To nominate national board members by petition and local election.
 - (6) For sealed ballot in election by delegates of national board members.
 - (7) That the national board shall take no action nor promulgate any policy contrary to the wishes of two-thirds of the national convention.
 - (8) That election of national board members be by secret ballot.
 - (9) For national financial administration of locals not self-sustaining.

Additional proposed amendments not included in those submitted by the commission are three that (1) would require that each local be represented on the national board in two-thirds-two-thirds proportion. (2) that a nominating committee be formed to select the convention to pick a slate of national officers, instead of near the close of each meeting and (3) that employees should also be members of the national board. Everett Clark is chairman of the constitutional change committee.

No AFRA in Northwest, IBEW Organizes Writers, Spellers, Signs Up KOL

Seattle, June 17. KOL has signed an agreement with the International Brotherhood of Electrical Workers which covers announcers and continuity writers, but exempted continuity writers, as well as the rest of the state are at present in the IBEW. Agreement with KOL calls for seniority rights, vacations with pay, two weeks sick leave, a minimum wage of \$185 per month and a union shop.

Present IBEW plans call for the organization of announcers, writers, and other Seattle and Washington state stations. At present there are no AFRA locals in the state.

Charles Warriner Heads Chi Panelmen's Union

Chicago, June 17. Charles Warriner of the Columbia blue's engineer staff in Chi has been elected president of the Associated Broadcast Technicians union in Chicago. Will be in for a two-year term running until 1943. Warriner union takes in all other technicians in Chicago area with the exception of KOL engineers who have own union.

Other officers of the Chi APT are: President George W. Pappas; Secretary Arthur Maus as secretary-treasurer.

Ber-Wine Ban Unpassed

Spartanburg, S. C., June 17. Reds are celebrating the anniversary of the safe another year in South Carolina. Holly-fought bill to ban advertising via broadcast, radio and in newspapers, died in house. Session adjourned recently without passing.

PEACE TALKS STAGNANT AT WKRC

Relations between the American Federation of Radio Artists and station WKRC, Cincinnati, apparently still in settlement last week reached a critical stage again late yesterday (Tuesday) when National Labor Relations Board representatives were said to have stepped out of the picture.

According to union sources in New York, a strike was momentarily imminent. The national labor relations board representatives were said to have stepped out of the picture. According to union sources in New York, a strike was momentarily imminent.

AFRA Nominations For National Board Made; WTAM, Cleveland, Signs

New York local of the American Federation of Radio Artists, at its quarterly meeting last week elected 14 national board representatives were said to have stepped out of the picture. According to union sources in New York, a strike was momentarily imminent.

AFRA into WTAM

Contract was signed last Friday (13) by the union with WTAM, Cleveland outlet of NBC. Negotiations had been started by Vic Connor, national organizer in Cleveland, and were concluded by George Heller, associate executive-secretary and treasurer, and Mark Woods, Cleveland manager of NBC. Negotiations and provides AFRA-shop, 40-hour week, wage increase, 10-20% and other benefits. WHK and WCLE in Cleveland, but not yet being dickering with AFRA.

RADIO-IN-DEFENSE COURSE AT DRAKE

Des Moines, June 17. A study of the role of radio in national defense will be one of the projects of the sixth annual Drake University radio workshop in Des Moines, Iowa. A non-credit course, open to students, open to high school, college and adult students, and is responsible for more than 100 students annually for the past several years. During June and July, Barrett, head of the Drake U. department of radio, is the director. Besides the national defense study, workshop members will cover program planning, continuity, radio drama, news, announcing and all types of public voice broadcasting.

Jersey City—Harry W. Pappas is WAAT's new program director.

WBYN Airing Semi-Pro N.Y. Television Guild Formed, Kennedy Probably First Prez

Station WBYN has a deal to broadcast two night one-hour programs of the Bushwick, 30-year old semi-pro outfit in Brooklyn which has its own stadium seating 1,000.

Joe Hessel will do the play-by-play. Television Guild, non-commercial, non-profit organization for those interested in television, has been recently organized in New York. Meetings of the approximately 200 members, most of whom have a professional interest in the medium, are held weekly, N.Y., on the first Monday of the month. Allen B. DuMont, of DuMont Television, is scheduled to speak at the June 26 (Sat.)-and-27 (Sun.)

Mabel Cobb, who has done radio play-by-play for number 10 years and last year did some video shows for NBC, organized the Guild. Fred W. Kennedy, Jr., radio writer for the New York Times, is understood in line for the presidency at election to be held shortly.

American Television Society, non-commercial, non-profit group interested in clearing the air of change of television data and ideas, will hold a dinner June 28 at the Astor hotel, N.Y. The first formal gathering it has had. Outfit has been in existence some time, but was not until the past year that television operation to hold a formal get-together.

Officers are Warren M. Caro, a theatrical and radio authority, president; J. R. McQuinn, writing and directing, vice-president; Robert Chamberlain, actor-director, treasurer; and Victor Fletcher, former radio editor, secretary.

NBC Asks Title Permits

Washington, June 17. NBC last week applied to the FCC for licenses to operate commercial radio stations in Philadelphia, Philadelphia and Washington. Application involves permission for operation of stations, but not extension of time to complete installation of the company's Philadelphia outlet in Washington, W3XNB.

Location has been selected for the Philadelphia station at 17th and 19th St. It will be ready for operation July 1, 1942.

LOCAL 'POT O' GOLD' IN EXIT FROM MANHATTAN

New York 'Pot o' Gold' broadcast, with the Tommy Tucker band, drops off after the July 2 program. It was exact duplicate of the national network show which used Horace Heidt.

Tucker's Wednesday half-hours went out over WMCA, WNEW and WHN, originating at the former. The national radio program by authority to establish a radio station at Erie, Pa., Ind., near here.

Conflicting application from South Bend is said to be delaying the decision of the commission.

Victoria, Texas, Station Sold to Morris Roberts

Victoria, Texas, June 17. Authority to transfer control of Radio Enterprises, Inc., holder of the license to operate KVTC here, from Fred W. Bowne, Charles C. Shea and Martin T. Martin to Morris Roberts was granted by the Federal Communications Commission (FCC) on June 17. The transaction is valued at \$100,000. Roberts represented 10% (20% ownership) in Radio Enterprises, Inc. Consideration was said to be \$42,500.

Roberts was the former general manager of the station. KVTC operates on a frequency of 1340 MHz with a power of 250 watts unlimited time.

Self-Broadcasting Sponsors

San Francisco, June 17. A former J. Wohlgenuth who is going to have a show like the products of his own best Baking Co., Wohlgenuth goes on the air twice a week as 'Wally Wallace' to tell folks why his bread is best. Firm has jumped from one to 17 delivery trucks in this area. Account is handled by Brischler, Davis and uses KPO for five-minute pilot.

In Charleston, Va., also. Le Shepherd, advertising manager of the Columbus, Va. Williams department store, writes all the copy for the establishment. In addition, he plays the piano and Solovox on its 15-minute programs a week over local station WCVY.

Alleged misrepresentation in its advertising copy is charged by the Federal Trade Commission against Gray Crystal. Company has 20 days to answer. Their Gray Program is aired from the lobby of the Mineral Wells, Texas, hotel, Monday through Friday over the Texas Quality Network. All commercials on the show are made by Hal Collins, president of the company.

KFRC Promotion Man To Philippines; Becomes A Publisher by Inheritance

San Francisco, June 17. Gary Kriedt has resigned as promotion manager of KFRC to become publisher in Manila, Philippines. Kriedt and his bride of a month will leave about June 21 to spend 12 months in the Philippines. Kriedt's father, Peter Kriedt, left him by a uncle, Peter Kriedt, who died recently.

Notification of the inheritance was received here June 1. Red tape delays in getting draft-board and passport clearance have the youthful exec hampering at the bit.

WBT CUTS SERMON ATTACKING POLITICIANS

Charlotte, N. C., June 17. A. E. Jocelyn, manager of radio station WBT, ordered Dr. Ernest Neal, pastor of the Associate Reformed Presbyterian Church, to remove a large Sunday church, cut off the air on Sunday, June 8, during his sermon in which he minister criticized the city council for liberating the Sunday blue laws.

In his remarks Dr. Orr departed from the usual nature of a sermon. Jocelyn said. His discussion became controversial and political in nature beyond the limits which general are applied to a religious service.

Charlotte ministers have voted to accept an invitation of Radio Station WSOE to conduct a five-minute daily program to be called Prayer for Peace.

Homer Rodeheaver Seeks Winona Lake Station

Warsaw, Ind., June 17. Federal Communications Commission has been asked to grant Homer Rodeheaver a radio station by authority to establish a radio station at Winona Lake, Ind., near here.

Conflicting application from South Bend is said to be delaying the decision of the commission.

Eric Newcomer Starts Erie, Pa., June 17

Station WERC, a Columbia outlet, got going here June 11. Rocco L. Tito, formerly of Olean is commercial manager. Station is owned by Presque Isle Broadcasting Co., of which Jacob A. Young, a cleaner and radio executive, is president. Young, formerly of Jamestown, N.Y. is general manager.

Station waived since Jan. 28 for the '50' order from the FCC. Station is operating from 730 a.m. to midnight. Other Erie station is WLEU on the Blue network.

Glover Delaney Upped Hartford, June 17. Glover Delaney has been named station manager of WTLN to succeed Cedric Foster. Later has resigned to join the Colonial network in a executive capacity.

CBS LINES UP 'SUMMER SHOWS' Exclusive of the more pretentious second annual 'Forecast' series (not yet completed) in detail the Columbia Broadcasting System program department has lined up the following new programs (including replacements for the summer):

- 'Young Ideas' (Sunday, 5 June 29)—KMX executives—juniors, page boys, mail clerks, telegraphers, apprentices—produce, direct, perform in series of light dramatic programs.
- 'Soast' (Monday, 7 June 24)—30—Society for Preservation and Encouragement of Barber Shop Quartet Singing in America. Hosts members like James Farley, Mayor LaGuardia of New York and several governors. Origins will shift from week to week.
- 'Frothy We Hall' (Sunday, 23 June 24)—Series to individualize workers and groups of them. Big name guest singers and m.c.'s.
- 'Soast' (Monday, 7 June 24)—30—Dick Powell, Frances Langford, guest Hollywood comedians. Mythical ship making calls in various pan American ports. Ken Niles, m.c. Laid Gluckin orchestra.
- 'What's a Do for Defense' (Monday, 8 June 24)—Exclusive broadcast of studios in New York.
- 'F.O.B. Detroit' (Friday, 7:30)—Musical variety show from WJR. Detroit.
- 'Choses' (Sunday, 1:30)—Will replace 'March of Games.' Somewhat more adult, but still a children's program.

'Death Valley Days,' On NBC for 1 Yrs., Goes To Columbia in Fall

Pacific Coast Borax Co.'s 'Death Valley Days' which has been on NBC for the past year is leaving the Blue network for Columbia this fall. Meanwhile the series will be on the Columbia CBS. The Blue will go on airing the show Friday nights and CBS will pick it up the Thursday 8:30 p.m. period July 3. The order obtained by CBS calls for around 60 stations.

'LIFE OF CHURCHILL' SOLD FOR CANADA

Boston, June 17. George Weston, Ltd., Canadian book manufacturer, has signed for exclusive rights in the U.S. of 'Imperial Leader,' transcription series dramatizing the life of Winston Churchill. The series is in Australia and distributed by Kasper-Gordon. Radio 'program' and transcription product of Boston. Program consists of 52 chapters, each 15-minutes.

Program is being handled by Kasper-Gordon in 'England Experts,' platter series about the life of Lord Nelson, and likewise Australian-produced.

NEWSPAPER AND RADIO

Press Jibe At Station Boast

Editor and Publisher, trade journal of newspaperdom, made the following editorial comment in its June 14 issue to a recent trade advertisement of WMCMA, New York, published in *Variety* and elsewhere:

"Our radio friends are tough competitors of newspapers for the advertising dollar. Much of their selling story has to emphasize the virtue of the spoken word over print, but occasionally they have to testify to the value of newspapers as attention-getters. A recent broadcast issued by WMCMA, a non-network station in New York, reproduced a clipping from the New York radio columns and program listings showing that the station was mentioned at least once in every New York City newspaper on May 20, 1941. The point of the sales story was that station that more news attracts more listeners—helps an advertiser to do a better job."

"That is a variation of the old theme, when the radio salesman used to beg his prospective clients that his radio contact assured them of immense free publicity in newspapers. Some of the sellers of broadcast time were badly hurt when newspapers crabbled that scheme by omitting the names of commercial sponsors—a wise step that lost newspaper no readers and apparently did little damage to broadcasting. It is still ironical that an important radio station thinks one of its strongest selling arguments is the number of times its call letters and program listings are considered worthy of mention in printed news columns. We wonder whether any newspaper would think it worth while to brag to prospective advertisers about the number of times per day or per week it had been mentioned on the air. We can't think of any, offhand."

WEB AND LOCAL UNITS BOOM IN SAN ANTONIO

San Antonio, June 17. Units took an upward turn as the Senatorial race comes into the home stretch.

Carlton Conroy, John Blair Representative on the West Coast in to voters here and in the other states. Charles C. Shaw of KTSAs of to Pittsburg and McKeesport, Pa. on and broadcast.

OAL: Pioneer Flour Mills, one additional flour, one direct; Americana Home Products, through Blackett-Sample, Inc., 100 lbs. of Black Jap insecticide, three announcements per week; and for 100 weekly announcements per week; Reshele Hat Store, direct, one 100 weekly announcement; Readers Digest, through REDCO, direct, 100 weekly; e.t.s.; Travis Building & Loan Association, through Bernard Brooks, one 35-second ad per week; Interstate Cotton & Oil Co., through Crook Agency, renewal of three quarter-hour programs per week; Mrs. Tucker Smiles program over Texas Quality Network, for one year in behalf of Mrs. Tucker Shortening; Hecker Products Co., for Bibly Shoe Polish, through Benton & Bowles, five announcements per week; Johnson & Johnson, for Tek Toothbrushes, through Ferry-Hamden, three announcements per week; Milam Finance Co., through Bernard Brooks, two 100-word announcements per week; one quarter-hour political over TQN; Gerald Mann, twelve 15-minute programs per week; TQN; 100 weekly; watch 12 quarter-hour political over TQN; W. Lee O'Paniel, eight quarter-hour programs over TQN, six quarter hours over TQN.

KABC, Wolf & Marx Department Store, through Pittman, one sponsorship of Fulton Lewis, Jr., news commentary daily, Monday through Friday, for a quarter-hour over the Mutual network; Gerald C. Mann, 30-minute program over Texas State Network, Texas State Network, 30-minute political program through TSN each Sunday; Gillette Safety Razor Co. sponsorship, 100 weekly; one quarter-hour Mutual network starting June 18.

Comparative Unit Count		% of	
June 14, 1941	June 7, 1941	June 14, 1941	June 7, 1941
Network	5,063	6,860	+16.1
Local	11,213	9,713	-11.5
Total	16,276	16,573	+1.8
(Included: KABC, KMAC, KONO, KTSAs, WOAL)			

Sid Watson has quit as program manager of new WYLB, San Antonio, and Lou Toppe, who was head of continuity, is the acting program chief.

BARASOL ON KOL

Shave Cream Signs Gilbert Heister—Seattle Spots Forkey

Seattle, June 17. Seattle stations continued rise in business, and all stations expect a very continuous good haul for the summer. KOL added another Gilbert Heister program for Barbasol shaving cream, a 15-minute weekly kid show, 'Captain Danger,' for Lime Cola.

Comparative Unit Count		% of	
June 14, 1941	June 7, 1941	June 14, 1941	June 7, 1941
Network	7,385	7,550	+0.5
Local	6,850	6,600	-3.6
Total	14,234	14,150	-0.6
(Included: KIRO, KOL, KRSC)			

WGN CREATES FARM DIVISION

Chicago, June 17. Biggest item that will hit the local ether situation is the decision of the Chicago office of WGN to set up the farm field with a considerable splash. WGN has been debbing around with some farm bits, and sold an early morning spot for Consolidated Drug products. Evidently from this sample, WGN has acquired a taste for the stuff and is deciding to take it by the case. It is setting up a complete farm division and from here on in figures to stir up some new excitement in the rural radio field.

Actual time purchases were plenty slow last week with the salesmen getting TQN. The big item to watch the ball game or polish their nibs.

Comparative Unit Count		% of	
June 14, 1941	June 7, 1941	June 14, 1941	June 7, 1941
Network	5,316	4,645	-14
Local	6,444	6,587	-2.2
Nafl Spot.	11,587	11,298	-2.5
Total	23,347	22,529	-3.6
(Included: WJBD, WBNR, WGN, WIND, WJMM, WLS, WMAQ)			

Albany, Ga., on Mutual Station WALB, Albany, Ga., began operation June 17, as an affiliate of Mutual. Outlet is owned by the Albany Herald.

SAY AIR ADS TO COST MORE

Network Sales Departments Aware of Newspaper and Magazine Contact Staffs Making Capital of Present Trouble with FCC — But They Are Ready to Counter-Blasts When Hearings Are Out of Way

FEWER AIR REFS

Network sales departments report that while their organizations have been fighting their battle before the Senate Interstate Commerce Committee, the newspapers and magazines have been trying to capitalize on the situation by painting a discouraging picture of radio's future. According to the networks, newspaper and mag refs are telling advertisers that radio isn't going to be as cheap as it used to be or as efficient and they might want to start putting all their eggs in the stock basket.

Some sales execs admit that the Washington ad has created an ideal opening for their competitive media for this line of underlining and that the webs are at a disadvantage in meeting this condition because of the fact that there is no time as many space salesmen as radio salesmen.

Nevertheless, the web sales execs, there is a counter barrage at present in the making and that as soon as the Senate hearing in Washington is over this promotional and advertising material will be released.

Can't Get Commitments. Though the event is four months hence, the Maxon agency has already started to line up stations supplementary to the Mutual network for the World Series in behalf of Gillette Razor. The account wants to make sure that this time the station receives 100% national coverage.

So far most of the CBS and NBC agencies approached have declined to commit themselves. While the latest FCC mandate bars exclusive contracts with any network effective Aug. 8, these stations are not disposed to do anything that might be construed as a break in the NBC-CBS affiliate ranks.

DES MOINES DORMANT

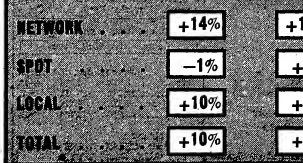
Web Only Figure in the Black—Total Off 0.6%

Des Moines, June 17. Business in these parts was practically all part week. In the network category the figure amounted to a break in the right side of the ledger, but all other classifications were a minus sign.

Comparative Unit Count		% of	
June 14, 1941	June 7, 1941	June 14, 1941	June 7, 1941
Network	2,540	1,485	-0.6
Local	3,027	3,403	+0.9
Nafl Spot.	1,028	1,111	-0.3
Total	13,929	14,009	-0.6

RADIO MARKETS' INDEX

Comparative Sales as Shown by VARIETY Sample (This Week Year to Date Same Week, 1940 Same Time, 1939)



Blah Season Sets In

N. Y. spot booking simmered down to a walk last week. It was the quietest period so far as new business was concerned that the trade has experienced this year. Station refs figure that the spot biz is just about over the bottom of the barrel and that things again will start popping in another two or three weeks.

WNEW's 'Make Believe Ballroom' Renewed by Del Monte to May, '42

PATRIOTISM IN PHILLY

Big Co. Boys Time for Defense Bonds—No Product Plugs

Philadelphia, June 17. WHP Brothers, Philly rug merchants last week donated 25 quarter-hour programs on WFLI to the Treasury Department to plug the sale of defense bonds. The show, running daily, from 8:45 to 9 a.m., will carry no commercials for the rug concern, but will reserve all ads for the bonds. The donation of time is the first of its kind by a local advertiser.

WIP being pumped by Royal Hoodell concerts to Mutual on Thursday.

Very little activity is reported along the new business front.

Comparative Unit Count		% of	
June 14, 1941	June 7, 1941	June 14, 1941	June 7, 1941
Network	9,908	9,283	-1.2
Local	20,727	20,639	-0.2
Nafl Spot.	4,082	4,041	-1.1
Total	24,888	24,036	-4.2
(Included: KYW, WCAU, WDAS, WIP, WJL, WIP, WFFN)			

SMALL PICKINGS IN LOS ANGELES

Los Angeles, June 17. Nothing new to report from this sector. Trade is pursuing the even tenor of its way, and the thinness of a cigarette pack separates the two week totals.

KFI: Paul Mallery cigarettes, 325 one-minute transmissions, through Ruthrauff & Ryan. KECA: Fresh Fruit & Vegetable Advertisers of Southern California, 151 quarter-hour broadcasts. 'Here's to the Ladies,' through Scholtz; Adv. Service; Murine Co. (eye wash), 70 one-minute transmissions, through Batten, Barton, Durstine & Osborn.

Comparative Unit Count		% of	
June 14, 1941	June 7, 1941	June 14, 1941	June 7, 1941
Network	12,312	12,282	-4.0
Local	8,264	8,711	+6.3
Nafl Spot.	1,468	1,462	-1.4
Total	22,044	22,455	-2.2
(Included: KECA, KFI, KFWB, KHJ, KNXT, KPWB)			

The California Packing Company, for Del Monte products, has entered into a new agreement extending its present contract for the WNEW 'Make Believe Ballroom' by 39 weeks. With the new extension, Del Monte will have concluded two contracts with the station. The first contract, on the 'Ballroom,' 11 to 11:15 a.m., Monday through Saturday, in Cleveland, Ohio, another renewal comes from Ruthrauff & Ryan for their client Paul Mallery cigarettes, call for 38 additional weeks. This contract calls for 38 announcements weekly.

Palmdale Amusement Park, direct, contract for indefinite period, five half-hour programs weekly. San Francisco, contract for indefinite period, 18 five-minute announcements weekly. Koppell Auto Sales, San Francisco, contract for indefinite period, 18 one-minute announcements weekly.

WRCM: American Cigarette and Cigar Co. (Paul Mall), through Ruthrauff & Ryan, renewal, 13-week contract, one 15-minute program, one quarter-hour weekly; Gardner Nurseries, one-week contract, five-minute garden talk daily.

WNEW: California Packing Co. (Del Monte products), through McCann-Erickson, renewal, 19-week contract, 'Make Believe Ballroom,' 11 to 11:15 a.m., (Paul Mall), through Ruthrauff & Ryan, renewal, 13-week contract, 38 announcements weekly; Central Railroad of New Jersey, through Richard A. Foley, 13-week contract, 12 announcements weekly; Hollywood Model Art, weekly; Olive Howard, 'Dance Party,' 45-minute program, ten-minute period before the ball games and announcements weekly; 'Columbia Program' and others; Alfred W. McCann Laboratories, 12-week contract, one quarter-hour weekly; WQXR: Savarin Coffee, through H. H. Hackett, one-year contract, 60 Boston breaks weekly; Continental Baking (Staff bread), through Ted Bates, one-year contract, 62 time signals weekly.

Comparative Unit Count		% of	
June 14, 1941	June 7, 1941	June 14, 1941	June 7, 1941
Network	7,495	7,580	-1.1
Local	3,366	3,112	-7.2
Nafl Spot.	1,111	1,321	-4.2
Total	11,972	12,085	-0.4
(Included: KXOR, KBOS, WIO)			

Picture of Des Moines

Des Moines, June 17. This is the story of Des Moines as of this writing in terms of VARIETY count.

Comparative Unit Count		% of	
June 7, 1941	May 31, 1941	June 7, 1941	May 31, 1941
Network	3,111	2,580	-1.2
Local	1,213	1,121	-1.2
Nafl Spot.	1,111	1,321	-4.2
Total	5,435	5,022	-8.4
(Included: KXOR, KBOS, WIO)			

Deal Goes Cold When KSFO Refuses To Release Commentator to Hollywood

San Francisco, June 11. William Winter's newcasts for Union Oil which were to have started yesterday (10) on the CBS California link, never reached air. Deal was off when Lincoln Deibel, KSFO manager who brought Winter to the Coast, balked at a demand that the commentator originate live shows in Hollywood. Lord & Thomas is the agency.

"Every time we build an air personality here they want to shift him to Hollywood," comments Dallas. All of which means that Arthur Kemp, CBS Coast sales chief, now in the east, can put his Winter presentation back in circulation again.

Also heading east, via the northwest, is Ward Ingram, KFRC sales head, who is carrying presentations of eight new shows with which to charm prospects.

White House Department store apparently is satisfied with its first venture into radio. Initial test series of "Let's Go Shopping" with Mel Venter and Mary Roeder, has brought KFRC a 13-week extension of the five-a-week quarter-hour series. Store threw in its own hook by having station plug merchandise not otherwise advertised. Pickup is made direct from the store. Marion Kayle agency is handling.

Jack Campbell, new sales promoter at KGO-KPO, has gathered a large 12-page slick-paper sales promotion piece which is the most-honored one issued by the NBC units in some time. It's designed to show how the web outlets merchandise radio and reassure timid souls who think the Blue is doomed.

Chabersky's Probation Phil Lasky has released KROW's strict rule against accepting copy from doctors for a "probationary" sponsorship of happy quarter-hour singer, by a chiropractor. With any spot of health talk to the benefit, it's limited to three stations (actual statistics of sponsorship during the six-a-week quarter-hour which air 7:15 and 8:00 hours).

(Continued on page 45)

Dr. Lyon's 26-Week Series to KCMO

Kansas City, June 11. Summer slacking of radio commercials is still a lightly expressed threat. Slight evidence is in the national spot column, and more is in the offering even if it hasn't hit yet. Commercial managers report a bid considerably ahead of this same period of 1940, and reports from four of the stations in same vein. Some of it charged to the spur of the national defense spending, and some locally charged to favorably cool weather, thus far into June.

KCMO stepped out and made a neat local deal with the Continental Hotel which opened its Sky-Hy Roof for the season last week. Six nights weekly hotel sponsors quarter-hour remote pickup of Walter Wood and band playing for dancing on the Roof. Station also made a good bid to hold up its national spot rating with new deals for Expo Elitiz, Technical Co. of St. Louis for a 13-week announcement schedule, placed by Sam P. Judd Adv. Co. and a 26-week announcement contract for Dr. Lyon's Tooth placed by Blackett-Sample-Hummel, Refthol. 13-week stretch of five-minute baseball score broadcasts, Charles Amers, signed for 26 announcements on local, powered through Liller, Harris, local.

KCCN arranged a junior announcer's contest with five winners, transcribed the spots and announced opening of new A. & P. Super Market at Seventh and State, and a 26-week announcement contract for Dr. Lyon's Tooth placed by Blackett-Sample-Hummel, Refthol. 13-week stretch of five-minute baseball score broadcasts, Charles Amers, signed for 26 announcements on local, powered through Liller, Harris, local.

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"No change."

Comparative Unit Count		
	June 14	June 7 Change
Network	8,120	7,210
Local	6,615	5,997
Nat'l	1,495	1,495
Total	16,230	14,702

"No change."

65 Double Bubble Ads to KFEL-KLZ, Denver

Denver, June 11. Newcasts were in demand the past week, judging from the contracts signed. KFEL sold seven a week for a year and KCMR completed contracts for 596, KFEL news, runs 10 minutes, KMYR five.

KFEL: Frumess Jewelry Co., through Robertson agency, six weeks; Double Bubble gum, through N. W. Ayer, 65 one-minute spots, through Broadway Country Club, three announcements daily, one month; M. H. Rhodes, parking meters, 15 minutes; Garden Nursery, through Northwest Radio, five five-minute; Mile High Radio, six spots; Gold Goldberg agency, six spots; Rip Plaza, through Radio Ideas, three quarter-hours a week, one month.

KLZ: Double Bubble gum, through N. W. Ayer, 65 announcements; American Chile Co., through Badger, Browning & Hersey, 78 announcements.

KMYR: ABC Cleaners, through MacGruder agency, seven five-minute spots, one year; one year, one day land inn, through Raymond Keane agency, 26 spots; Capitol Federal Bank, through Lowrey, 26 spots; Grunder agency, four five-minute newcasts per week, one year; Fox West, through Cusack & Rio, six spots a week till '40.

KOA: Denver & Florida Cusack agency, 15 announcements; Johnson & Johnson, through Ferry-Hanly, 15 announcements.

Comparative Unit Count		
	June 14	June 7 Change
Network	8,686	8,620
Local	5,199	1,989
Nat'l	2,428	2,428
Total	16,313	13,037

Ford Farm Market Reporter's 6th Year On Michigan Network

Detroit, June 11. For the sixth consecutive year, the Ford Farm Market Reporter on WXYZ, Detroit, and the Michigan Radio Network, the program, broadcast from 12:15 to 12:30 p.m., Monday through Friday, featuring George H. Hartman, general manager of the Michigan Livestock Exchange; Harry Golden, WXYZ newscaster, with Joe Slade handling commercials. A marked uptick developed last week in the Detroit position. Despite the fluctuations of statistics, one case a gain of 340 units in local business by one station—all categories wound up with no discernible change. With only two constants, national spot, despite the variations of four stations, rose at precisely the same figure, 4,718 units. In view of the previous fall-off of business of spots picked up at managing to preserve a status quo.

Figures here, except for local bid, also are at practically the same level as a year ago—network 8,210 as compared to 1940's 8,160, and spot at 4,718 improved to 4,701. The improvement here over 1940 is reflected in a present carrying of 1,000 local units as compared to 1,012 a year ago.

Tobias Cooper Insurance and LaMessure Brothers Laundries, co-sponsors, Michigan News Reel, 15 minutes, six times per week; R. & G. Clothing, five quarter-hours weekly, 13 weeks; Michigan Consolidated Glass and Clay-De Senner's Public Opinion; half-hour weekly, 22 weeks; Fall Mail Cigarettes, four announcements daily, six 13 weeks, through Ruthrauff & Ryan; Andrews Bulck Company, five quarter-hour musical weekly, 13 weeks.

WVJ: American Chile Co. (Chilelets) five 15-minute units of Michigan, weekly, 13 weeks, through Badger, Browning & Hersey, Inc.

WXYZ: Fall Mail Cigarettes, four announcements daily, six a week, 13 weeks, through Ruthrauff & Ryan; Ford Dealers of Michigan, five spot announcements daily, five a week, 13 weeks; Ford Motor Company, Farm Market Reporter, 15 minutes, five times a week, 13 weeks.

Comparative Unit Count		
	June 14	June 7 Change
Network	8,210	8,210
Local	13,251	12,811
Nat'l Spots	4,718	4,718
Total	26,179	25,739

"No change. (Included: CKLW, WJBK, WJLB, WJW, WWJ, WXYZ)

Active National Accounts

ACCOUNT AGENCY PURCHASES

American Chile Co.	Badger & Browning	Announcements
American Cigarette (Fall Mail)	Ruthrauff & Ryan	Announcements
Armard (Brisk hair cream)	Russel M. Seeds	Announcements
Beck-Nut Packing	Newell-Finchett	Announcements
Black Flag Insecticide	Blackett-Sample-Hummel	Announcements
Caps Cod Steamship Co.	Alley & Richards	Announcements
Car: Products	Street & Finney	Announcements
Chicago, Milwaukee & St. Paul RR.	Roché, Williams & Cunyham	Announcements
Chocolate Products Co.	McCord	Announcements
Chrysler (Plymouth)	J. Stirling Getchell	Announcements
Consolidated Products	Mace	1 1/2 Hours
Cuddeback Oil	Tracy-Locke-Dawson	Announcements
Continental Hotel	Critchfield	Participations
Virginia Dental Extract	Clements	Announcements
Denalin (dental plate cleanser)	Rufus Rhoades	Announcements
Firestone Tire	Betts-Koerber	Announcements
Ice-O-Glass	Prefba, Fellers & Prefba	4 Hours
Fry-Ped	Blackett-Sample-Hummel	Announcements
Ford Dealers Adv. Fund	McCann-Erickson	4 Hour News
F. W. Fuller Paints	McCann-Erickson	Announcements
Garden City Publishing Co.	Huber Hoge	5-Min.
General Foods (Diamond Salt)	Benton & Bowles	Announcements
General Foods (Maxwell Coffee)	Benton & Bowles	1/2 Hours
Lifeline Safety Razor	Maxon, Inc.	Boxing Bout
Goodys Tire	N. W. Ayer	Announcements
Great Northern Railroad	Bronson-West	Announcements
Grover's Chili Conio	H. W. Kaster	4 Hours
Hansen's Laboratory	Mitchell-Paust	Announcements
Hark Mountain Products	George H. Hartman	5-Min.
Heaker (Bibby shoe polish)	Benton & Bowles	Announcements
Ice Cream Products (Fritz)	BEDCO	Announcements
Kelvinator	Geyer, Cornell & Newell	Announcements
Knox (Cystex, Mendoc, Tayton)	Allen C. Ryan	Announcements
Lever Bros. (Rinso)	Ruthrauff & Smith	Announcements
Lever Bros.	Ruthrauff & Ryan	Announcements
Maafaden (Liberty)	Erwin, Wasey	4 Hours
MacAdams (True Story)	Arthur K. Kuder	Announcements
McReeson & Robbins (Calox)	Erwin, Wasey	Announcements
Marlin (razor blades)	Craven & Heidrick	Announcements
May Oil Burner	S. A. Levynne	Announcements
Megowen-Educator Foods	John W. Queen	Announcements
Mohawk Bedding	Schwimmer & Scott	4 Hours
North American Accident Insurance	Compton Adv.	Announcements
P & G	Pelliar & Ryan	Participations
P & G (Dashi)	Pelliar & Ryan	4 Hours
P & G (Duz)	Compton Adv.	Announcements
Packard Motors	Wiley & Rubican	Announcements
Peter Pan (candy)	Pitt-Forbes	5-Min.
Personal Finance Co.	Lord & Thomas	Chain Breaks
Lynal Pinkham	Erwin, Wasey	4 Hours
Reader's Digest	BEDCO	Announcements
Mid Products	Earlie Ludgin	Announcements
Shell Oil	J. Walter Thompson	Announcements
Stephane-Vasum	J. Stirling Getchell	4 Hour News
Stephane (Marcel cigarettes)	Allen-Koritt	Announcements
United Drug	Street & Finney	4 Hours
Walsh Pen Co.	United Adv.	5-Min.
Wristley	Newell & Ruben	Chain Breaks



A name that attracts thousands

"Getting the Most Out of Life Today" with Dr. William L. Stidger

Loyal followers provide a ready-made audience

In this NBC Recorded Series of 39 five-minute programs, Dr. Stidger draws from his own rich life and presents the kind of forceful, down-to-earth philosophy every man and woman can understand and enjoy. His human anecdotes of people great and small are inspirational gems that leave with the listener practical solutions of the increasingly difficult problem of "Getting the Most Out of Life Today."

Ideal for local and spot advertisers looking for a dignified program of wide appeal. Can be presented 3 times weekly for 13 weeks at unbelievably low cost.

In many instances, special music and scripts may be made available to those advertisers who prefer to present Dr. Stidger as a 15-minute feature.

Write today for presentation, rates and availability. Or, your local radio station can arrange an audition.

NBC Radio-Recording Division
 NATIONAL BROADCASTING COMPANY
 A Radio Corporation of America Service
 RCA Bldg., Radio City, New York

Merchandise Mart, Chicago-Texas-Lux Bldg., Washington, D. C.-Sunset & Olive, Hollywood

Land of the
Midnight Sun
 ...the T-V-Area!

Subtitle: **Hot Stands Still.** It's daytime around the clock here in the TVAREA, where defense needs keep on crews working 24 hours a day on \$110,000,000 dam projects; and where aluminum, textile and other plants whiz at full speed both day and night.

There's work to be done in the TVAREA... and money to be spent. WNOX, first in coverage, is the ideal way to shout for your share.

5,000 W. DAY W. (MIDNIGHT)
 CBS
 900 KC

WNOX
 KNIGHT-RIDGWAY RADIO CO.
 KNIGHT-RIDGWAY BUREAU
 Affiliated With
 The Knoxville News-Sentinel
 Represented by
THE BRANHAM COMPANY

C. P. GRANTED
10,000 WATTS
 FULL TIME

WALKOVER SHOE ON 1/2 HRS. IN SALT LAKE

Salt Lake City, June 17. Figures are holding up well all along the line in the walkover shoe sponsors accounting for the biggest portion of new business.

KDYL (Ed Lewis) is the realtor, through Gillham Advertising, 52 quarter-hours; Fisher Brewing Co. of Salt Lake City, through Gillham Advertising, 13 quarter-hour programs; W. H. Adams, direct, 52 news announcements; State Building & Loan Association, direct, 52 news announcements; Deseret Book Co., direct participation on "EDLY, Dude Ranch Program"; 52 announcements; Jaques Mfg. Co., 100 announcements; Dees & Chamber Co., direct, 52 announcements.

KSL: Utah U. S. Highway 40 Association, 52 15-minute announcements; Gardner Nursery, six five-minute announcements, through Northern Radio Advertising; Salvage Growers, five one-minute announcements, through Lord & Thomas; Sunnyside Packer, four announcements for Rancho Soups, 15 one-minute announcements, through Lord & Thomas.

KUTV: Participating program, half-hour, six days a week, for "Walter Chiles, 15 minutes; Paul Glass, M. & M. Appliance, Seagull Drug, K. & D. Picture Studio, Broadway Shoe Repair and Hair's Radio Service.

Northwestern Yeast Using Texas State Network

San Antonio, June 17. Three weekly quarter-hours over Texas State Network start June 19 for Northwestern Yeast of Chicago, using transcribed series, "Songs of a Dreamer," with Gene Baker as vocalist and Larry Larson on the organ.

Stations selected for the campaign are: KABC, here; KWCC, Vernon; WACO, Waco; KCMC, Texarkana; KABC, Abilene; KFPA, Amarillo; KRRV, Austin; KBST, Big Springs; KNR, Dallas; KRRV, Sherman; KJZZ, Fort Worth; KFTO, Lubbock; KRLH, Midland; KPJT, Paris; KGLK, San Angelo; and KTEM, Temple.

Series placed through Hays MacFarland agency.

FM Station's Accounts

Rochester, N. Y., June 17. WHAM's FM station, on commercial basis less than month, has two accounts, Rochester Gas & Electric Corp. half hour daily at 2:30 p.m., "On Wings of Song," and Wais & Fisher, half hour daily "Music For You" at 3 p.m.

Both are transcribed programs.

Col. Landers Sponsored

San Antonio, June 17. Col. H. L. Landers, KXTS news and military analyst, has been signed for a series of twice weekly quarter hour programs by the Gulf Brewing Co. bottlers of Grand Prix Beer.

Airings are for a quarter hour in length and are heard on Tuesdays and Thursdays. Rogers-Gano Agency placed the account.

COLORADO VACATIONS PLUGGED BY RADIO

Denver, June 17. Max Goldberg agency, which has been assigned the Colorado State advertising and publicity campaign, will use stations in 11 markets to plug Colorado's vacation appeal. Campaign will consist of recorded sketches and announcements.

Market list will comprise Des Moines, Omaha, Kansas City, St. Louis, Wichita, Tulsa, Oklahoma City, Houston, San Antonio, Fort Worth and Memphis.

WSYR, Syracuse, Sets Two

Syracuse, June 17. Lennon & Mitchell for P. Lorillard has renewed Videobroquer, news analyst, on WSYR, for Beechnut cigarettes, six days a week from 12:15 to 12:30 p.m. Present contract runs out July 5. This is second renewal.

Wily's America has bought two 10-minute periods a week over WSYR for safety show titled "Auto Quiz," handled by Bill Rottman, assisted by Investigator Arthur J. Leahy of Syracuse Police Accident Investigation Bureau. Motorists are hailed to the curb in front of a downtown theatre to answer some safety questions and given silver dollar for cooperation.

WGN, Chicago, is to set up a farm department. Lou LaMar, who is an announcer, has been handling the morning farm program will be its director.

Agencies Stalk Citrus Account

Meantime Advertising Committee Explains McBride Program Difficulties and Defends Its Record

While Brooks, Smith & French, J. Walter Thompson, Federal, William Esty and Brackett-Sample-Hummett are among the agencies that have been bidding for the Florida Citrus Commission account, it is expected that the business will go to a dark horse. The new commission was named last week and the indications are that the new agency, replacing Arthur Kuderer, will be announced by June 30.

Some of the home state politics behind the account were suggested in last week's "Vaughn" story from Tampa. Meantime a document dated June 3 and entitled "Report of Advertising Committee for 1940-41," tells, from a different point of view, the story of the difficulties which Mary Margaret McBride inherited when she quit WOR, where she was "Martha Deane," to broadcast for the fruit combine. Brought cited.

"It should be noted in passing that during the early months of the fresh fruit season, the quality of fruit did not improve as satisfactorily as might be expected because of the long Fall. This was the result that Miss McBride could not in justice to her listeners use as a forceful selling argument as might be done. However, with the gradual improvement in quality, her commercials were strengthened to the point where they became and have continued to be as powerful as any announcements on the air.

"Starting with the third cycle of 13-weeks broadcasting, 14 of the lesser stations on the network were canceled in view of indications that tangerines and fresh grapefruit would not pick out as originally estimated and which eventually proved to be the case. Altogether, reductions of about \$85,000 in radio costs have been effected, thus reducing cost for 52 weeks broadcasting from \$575,000, the amount of the original estimate, to \$222,000. Each of the fresh fruits, also canned products, are bearing their proportionate share of costs, each receiving its proportionate share of commercial announcements.

"... However, Crossley reports for the last month show that the McBride program had the largest gain of any daytime program on the air. In terms of radio advertising values, these findings would indicate that satisfactory results despite its lack of popularity among some in the (citrus) industry. It can truly be said that there is a greater variation of opinion among people as to what constitutes a good radio program than exists in any other form of advertising. Advertising Commission McBride & firmly of the opinion that the present program has been an excellent investment."

Comparative Unit Count		
	June 14, 1941	% Chg.
Network	7,221	7,141 +1.5
Local	4,818	4,862 -0.9
Natl Spot	1,267	1,232 +2.8
Total	13,306	13,235 +0.5

(Included: KDYL, KSL, KUTV)

B.B. BDCASTS BENEFIT BALTO

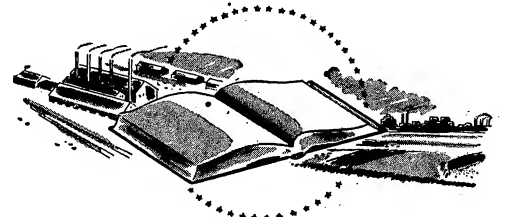
Baltimore, June 17. National spot count for the week here with home schedule ball games aired by WCBM helping, Lee Davis, former sports director of WCBM, switched to WCBR last week for nightly quarter-hour sports reviews sponsored by Tru-Fit Clothes, placed by Leon Golink Agency.

WBAL: Wonder Foam Co., through Adco, 24 participations; Frank A. Flier (Dubble Bubble gum), through N. W. Ayer, 65 spots; Lydia E. Pinkham, through E. J. Conroy, 14 one-minute announcements; Peter Paul (Walnettes), through Platt-Ford, strip of five-minute programs.

WCBM: Western Maryland Dairy, 13 15-minute "Motor Trails"; Roma Wine Co., through Jos. Wilner, 25 spots; Cel O Wax, via Courtland Sales, 150 spots; P. & G. (Ivory Snow), through Leon Golink, 150 spots; S. A. Van Lil Preserves, 15 spots; Frank Flier (Dubble Bubble gum), through N. W. Ayer, 19 spots; Cloverland Farms Dairy, through Theodor Siegel, 40 spots; WCAO: Bovey's, Inc. (Darl-Rich), through Sorenson, weekly spots; Careful Laundry, through Jos. Wilner, 100 participations; P. & G. (Ivory Snow), through Compton Adv. Spots, Monday through Fridays; Stephen Seth (Bendix washers), through Young & Rubicam, 40 day-time spots.

WBFR: Tru-Fit Clothes, through Leon Golink, quarter-hour sports-taste five nights a week for one year; Hauswald Bakers, through Paul Brown, 300 spots; Macfadden Publications (True Story), through Arthur Kuderer, renewed announcements; American Chicle Co., through Badger & Browning, 15-minute news-casts, five minutes, three time a week; Ritter Packing Co., through Compton Adv. Spots, Monday through Fridays; Johnson & Johnson (Tek), through Ferry-Hanly, chain breaks.

Comparative Unit Count		
	June 14, 1941	% of
Network	8,240	8,130 +1.4
Local	4,818	4,862 -0.9
Natl Spot	1,126	1,178 +4.3
Total	14,184	14,169 +0.1



A MODERN TALE TWO CITIES

Wilmington, Delaware, is 26 miles south of Philadelphia. Lancaster, Pennsylvania, is 50 air miles to the west. Yet these two thriving communities, booming today with defense production, tune to WCAU more than to any other station for their radio entertainment.

This modern tale of two cities is duplicated many times over elsewhere in the great Philadelphia industrial circle*. For WCAU with its 50,000 Watts and its clear channel is Philadelphia's only all directional "power" station . . . the only station that covers all of the great Philadelphia circle.

"Stretch" your Philadelphia market with . . .

THE ONLY 1-CLEAR CHANNEL STATION IN EASTERN PENNSYLVANIA, DELAWARE, MARYLAND OR NEW JERSEY

*Based on 50-mile Reuben Donnelly-Retter Recall Survey **Supporting data on request.

*Program!
Program!
you can't sell the masses
without a Program*



**And Blue programs—like Blue coverage—
reach more customers per dollar**

We don't carry Jack Benny, Fibber McGee or Charlie McCarthy—but do you realize what a high average the Blue's programs have been hitting? And do you know that Blue programs cost much less *per point of rating* than the Red-CBS average? Here are three important facts we'd like you to know about.

First, the Blue's average evening CAB rating during the past few months has gone up to 40 points and over—a figure that speaks for itself.

Second, the Blue's continual development of new talent in new programs builds a special kind of audience loyalty. This was demonstrated recently when Blue shows took six

first places in the recent Movie-Radio Guide poll of favorite programs.

Third, a comparison of talent expenditures shows that the Blue achieves its immensely successful record with programs that cost 4% less per quarter hour (sponsored) than its major network competition.

Together, these three factors of program strength—added to the Blue's lower time cost per thousand—prove why today, more than ever, the Blue produces sales thru the air with the greatest of ease, at the lowest cost of any medium entering the home.

NATIONAL BROADCASTING COMPANY
A Radio Corporation of America Service

THE Blue NETWORK OF NBC

STILL MAKING Sales thru the air with the greatest of ease

THE SHOW OF THE MONTH—Like mystery? Of course, everybody does! And here's a thriller so different we call each half-hour episode an "item" because it's a real collector's piece. Listen to the adventures of **THE BISHOP AND THE GARGOYLE** via the Blue on Saturday nights at 8:30 (New York Time).

Paley On Stand

Continued from page 32

is duty-bound to weigh social and economic factors in judging what serves public interest, but sided away from the idea of any program supervision. Public interest doesn't have much meaning if you don't look at the question of the degree of competition existing, the barriers contended, and free competition is required by the terminology of the statute.

Agreeing the question of commission powers will be settled in court, Caldwell advanced the idea the regulators have the right to forbid stations from transferring control over some of their operations to networks and the rules are designed to achieve this objective.

There were numerous arguments between Wheeler, White, and Caldwell as to what the law actually covers. The two solos often agreed the regulators have been inconsistent and negligent, but they seldom saw eye to eye on the proposition of commission authority to eradicate monopoly.

Throughout the week, Wheeler stuck to the idea that the communications act justifies regulations of the sort under fire, although he often reflected doubt about the wisdom of the particular rules. White firmly denied Congress ever passed on to the regulatory agency the responsibility for deciding whether monopoly exists or for taking independent action to prevent it. The Maine Republican challenged Caldwell's statement the law embodies the 'free competition' theory, remarking that everybody recognizes there can't be free competition' as long as the number of facilities is limited.

Rural Service, A.T.&T.

Draw Some Attention

The Montana Democrat continually brought up the matter of service to the sparsely-settled sections and the obligation, as he sees it, of chains to force their programs out through more stations. Even if there isn't any demand from advertisers, the web should play back their earnings in the form of more service, he indicated. In this connection, the question of line charges was brought up repeatedly, Quitzing Commander Craven, about the A. T. & T. telephone network, who drew a confession the regulators haven't done as much as they can and should about lowering the cost from station links, while Craven also suggested the possibility of using short-wave radio relay programs and cut the cost of land lines.

Mutual's finances were examined briefly while Fred Weber, the chief general manager, was on the stand. Wheeler asked about a rumor that Col. Robert McCormick, owner of the Chicago Tribune and WGN, put up \$500,000 last year to help the radio web, which Weber denied with explanation that the three biggest stockholders each contributed \$100,000 toward operating costs and the other four poured in \$40,000 apiece. It is impossible for Mutual to make a profit, but the 1940 loss shown in FCC reports is only a paper deficit, Weber testified.

Not Beachcombers Out For Wreckage—McCosker

Forebodings of reform foes are entirely unjustified, Weber and Caldwell asserted. Later, pointing out that Mutual cannot get into 45 different cities with population of 50,000 or more, while NBC has two outlets in each of 40 cities, took the view the listeners pick programs not networks or stations on a basis of ownership or identity. Idea that rules would regular operation and will result in government intervention in business affairs is based on gross misunderstanding, Weber opined, adding that independent outlets haven't been heard from and the opposition to the reforms come from 'organized group' of transmitters.

If the rules would have the dire consequences asserted by the rest of the industry, Mutual wouldn't want them, Alfred J. McCosker, web's board chairman observed. The radio's future 'depends upon not being so restricted by government regulation that we cannot engage in sound, efficient and profitable operations,' he remarked, and 'no one at Mutual has had the attitude of wanting to see confusion or impairment of network broadcasting simply in the hope of being able to grab something out of the wreckage.'

Craven had several rough moments at the outset of his testimony, with Senators Tobey and Wheeler,

going after him particularly about the legality of the majority's action. Tobey pointed out the dissenting commissioners voted originally in favor of the probe leading to the rules, but Craven maintained this did not commit them to subscribe to what has been done. Wheeler took issue repeatedly with the former naval officer about the extent of power to judge when stations serve the public interest.

Roughs Up Paley

Washington, June 17.

Yesterday (Tuesday) Paley's second session resulted in his taking a pushing around by Senator Wheeler, who questioned aggressively the need for tying up affiliates for five years and the time option system. Paley also heard the record CBS analysis of the FCC rules described as containing nothing but 'your conclusions and interpretations—not facts.'

Wheeler found fault with programs of 'dime novels, rapped gangster stuff and jazz and raised the 'breaking down morals' holopin. Attorney John J. Burns, following William S. Paley as a witness on Tuesday, made strong plea for delay of FCC rules so that no damage be done pending trial. He claimed FCC is desperate to keep webs out of courts.

Burns quipped that 'new laws were needed to license networks but not to destroy them.'

While he contended the majority 'usurped' authority never delegated by Congress, Craven conceded there are abuses and conditions needing correction. Exclusivity may be good or bad, contracts ought to be more fair, and option privileges can be misused, he said, but the majority is more likely to foster a more vicious type of monopoly than bring more competition. The commission, after finishing its prolonged study, should have laid the results before Congress and asked for instructions, or else should have its findings to the Federal Trade Commission and Justice Departments for punitive action, he declared.

Danger that business will 'gravitate' toward big stations at the expense of little fellows was seen by Craven. Pointing out the majority report (but later dropped this section) that the result of the rules cannot be forecast, he complained there never has been a satisfactory explanation how the regulations will work in practice. Since there is no 'open market condition' in the broadcasting business, the regulations disregard economic laws and are liable to encourage 'a conglomeration of local monopolies,' the commander warned.

WOR Is Now Bamro, Inc.

Albany, June 17.

Completing a legal formality the Bamberger Broadcasting Service, Inc., of Newark, N. J., has filed a statement that its office for the conduct of a radio broadcasting business in New York is now 1440 Broadway (where WOR's headquarters have long been located). J. R. Pfeiffer is listed as secretary of the corporation and its capital stock at \$250,000 par value.

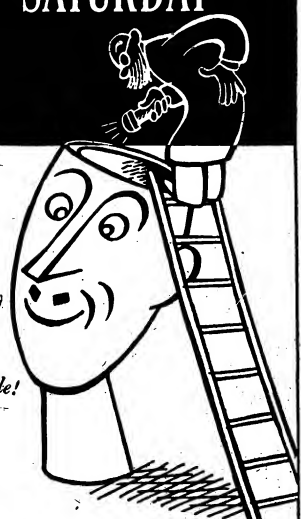
At the same time, Bamberger Broadcasting Service, Inc., New York Corp. Leon Lauterstein was filing attorney in both instances.

WMAS' Freak Cut-Off

Springfield, Mass., June 17. WMAS local Columbia outlet, lost two and a half hours of network stuff between 10:30 and noon when a steam shovel excavating near the transmitter site broke telephone cable carrying program to the studio. Station engineers tried a temporary splice in the cable but refused to make unsatisfactory announcements hurried down to the transmitter and carried on with chatter and canned music, plus some local stuff, until the telephone workmen repaired the damage. Al Martin, station manager, said the station was actually off the air locally for only a few minutes.

UNIQUE 4-STATE CHECK RANKS WOR DOMINANT SATURDAY FIRST!

WOR unquestioned Saturday favorite in New York, Connecticut, Pennsylvania, New Jersey area of 13,400,000 people!



80% more listeners than highest ranking 50,000 watter

110% more listeners than next ranking 50,000 watter

150% more listeners than lowest ranking 50,000 watter

Again—as in 1940—but this time more thoroughly, more completely, more convincingly, WOR has proved that it dominates the Saturday morning audience. But WOR did not stop at this. Based on a carefully selected audience sample, WOR found that it is the MAJOR station listened to MOST AMONG ALL INCOME GROUPS; and that its Saturday morning audience is TYPICAL OF A WEEKDAY EVENING AUDIENCE.*

* These facts are based on a new, advanced type of listening check just made for WOR by Crossley, Inc., and basic data previously published in the station's "Story of Saturday". Agencies and advertisers may obtain a detailed report by writing—WOR at 1440 Broadway, in New York.

XERA, 180,000-Watter, Confiscated By Mexican Troops; Owners (Not Brinkley) to Be Paid Off

Mexico City, June 17. Mexican troops have confiscated station XERA at Villa Guzmán, opposite Texas, which has operated at 180,000 watts, the third most powerful station in the world. The station is accused of persistently embarrassing Mexico by broadcasting, despite frequent warnings, undesirable advertising matter and messages in code. The latter raised considerable suspicion in Mexico and in the United States.

Doc Brinkley, the great gland specialist, has denied that he has had any legal connection with XERA since 1933. His broadcast was terminated off although his wife continued actively until recently. The 'doc' is now taking a bankruptcy bath in the state of Texas.

This station has been controlled for some time by a Mexican company but with considerable American cash and backing. XERA had not been very active of late. It had been more or less dormant since Mexico fell in line last March 29 with the North American radio pacts adopted at the Havana convention of December.

Confiscation of this station, ordered by a special decree of President Manuel Avila Camacho and authorized by government officials, backed by troops, was in line with the announcement made by the secretary of the administration's press department that drastic action would be taken.

The station is to be operated by the federal government on a basis that is being arranged. Identification is promised its owners, payment to be made within 10 days of the confiscation. Evaluation is now in progress.

AXIS SPRAYERS ANNOY MEXICO

Mexico City, June 17. Chastelated radio stations which broadcast Axis propaganda have gotten in the hair of the authorities of Aguascalientes City, a central railroad and industrial town. There are ten such stations functioning in and about the town.

Aid of the Ministry of Communications and Public Works, ruler of all affairs in Mexico, has been enlisted to eliminate these stations and also make amateurs lose the mark. The Government expects to soon rid Mexico of all 'nuisance radio stations' and punish their operators.

Cedric Foster at WAAB

Boston, June 17. Cedric W. Foster, WHIT, Hartford, radio news commentator, will join the Yankee-Canada networks staff June 23. Foster will continue to be heard Mondays through Fridays at 2 p.m. over the Mutual net with the programs emanating from WAAB here. In addition, he starts the first commercial FM series in New England on Mobilgas news programs broadcast on WA3B, Boston, and W39B, Mt. Washington, N. H.

1st CHOICE
Come to Connecticut this Summer for business! There's more here than a million-and-a-half people in this market — with the highest effective buying income per family in the U. S.
BASIC CBS FOR CONNECTICUT

PEDRO DE LILLE'S TRIP

He Opens Chihuahua Studios and Gets a Special Appellation

Mexico City, June 17. Pedro de Lille, probably Mexico's highest paid announcer, has been given a special period at XE3H, Chihuahua City, near the U. S. border. This was in connection with new studios of the station. He was made a favorite son of the state upon his departure for XEW, Mexico City. This may sound like a Kentucky Colonel gag to Yankees but it's quite an honor here, usually being limited to ex-presidents and high dignitaries.

BBC SETS MORE TALKS FROM U. S. A.

The New York office of the British Broadcasting Corp. now supplies London with an increasingly volume of commentary by Americans or by U. S. news items. BBC has not failed to observe and to exploit the fact that continental Europeans are usually impressed by American voices and by familiar voices from their own lands now in American exile. Those living under the Nazi barbed wire are impressionable to the far-off power of the U. S. A.

Raymond Gram Swing, the U. S. A. talks to be sent either by regular transoceanic relay for pick-up and recording in England or by American long-wire. The BBC in London and CBS cooperate freely in these matters, a return courtesy for favors extended by the BBC in London to Fred Bate, Ed Mearns, et al.

Among the talks clearing through the New York office are:
In English
Ailsaite Cooke.
Elmer Davis.
H. B. Ellison.
James Wetton.
Oles N. Rosen.
Raymond Gram Swing.
Dorothy Thompson.
Albert Weis.

In French
Justin O'Brien.
Robert Ross.
Grand Duchess of Luxembourg.
In German
Beach Conger.
Thomas Mann.
In Czech
Vladimir Hurban.
Vocovek and Wretsch.

Yankee Propaganda Via BBC Evokes Contradiction From German Sources

London, May 29. U. S. news commentators on the now fed German listeners from BBC. Beach Conger gives a review of American events each Tuesday from London. German 'Aryan' refuge Thomas Mann is asked whether he is still in the U. S. A. and clipped to this side. Professor Arthur Newall is another commentator fed at intervals to the German listener.

BBC claim very definite proof of reaching the ears of that land with this propaganda stuff. Fancy checks have been made, most prominent being an immediate outburst from Nazi stations in rebutting some statement aired by BBC. It's good enough.

CBS Brings Brazilian To N. Y. for Newscaas

Dr. Luis Jobata has been brought in from Brazil by CBS to do news and entertainment program announcements over the network's international shortwave outlet, WCBZ. Luis Lopez Correa, a Portuguese language broadcaster, remains on the staff.

JOHN ROYAL'S LATIN TRIP TO BEGIN JULY 1

John Royal, NBC vice-president in charge of international radio, will probably leave about July 1 by air on a seven-week trip to South America. It's his fourth trip. He will visit all 21 republics before returning.

XEW Has Half Of Mexico City's Radio Employees

Mexico City, June 17. A recent check-up in this City reveals that some 600 artists, musicians and others who perform before the mike exclusively depend upon radio here for a living. About 100 of these are women. Some 300 of the air entertainers are regularly employed by one station, XEW (100,000 watts), of which Oton M. Pérez is the general manager. Pay of radio entertainers ranges from \$15 (Mex) for more or less secondary performers, those who work on slack time programs in the forenoon, for a 15-minute stint, to \$500 to \$800 (Mex) for the stars who do a 30-minute show nights.

XEW has 11 announcers, 11 men, the most of any station in Mexico. This station has one woman announcer who works at intervals, for programs sponsored by the Free-French but kept free of direct propaganda.

RAYMOND SWING TO RADIO FROM LONDON

Raymond Gram Swing makes the latest American radio commentator to go on a transatlantic hop for a lookaround in England. He leaves by Clipper for Lisbon, and in all will be away three weeks.

Swing expects to do his regular General Cigar broadcast from London three days later (4), using trans-Atlantic telephone instead of regular broadcast facilities.

Jim Reed, WFBC, Greenville, S. C., announcer, has been elected secretary-treasurer of Southern Sports-writers and Radio Commentators Association.

It's swell!
Enthusiastic reports!
Thank you very much!
We appreciate your fine co-operation!

'Divided Management' In Canadian Broadcasting Subject of Censure; Thorson New Supervisory Minister

Montreal, June 17. Further changes in Canadian radio are in sight. Hereafter the supervisory control of the Canadian Broadcasting Corp. will be vested in the newly expanded Ministry of National War Services. This takes radio from the supervision of C. D. Howe, now Minister of Munitions, and puts it under Joseph T. Thorson, a Liberal Party M.P. for ten years. Thorson got the new post last Wednesday (11).

(The Canadian Bureau of Information, Canadian Travel Bureau and National Film Board will be stakeholders of the CBC under the new arrangement.)

An attack on CBC occurred in the House of Commons on Friday (13) by M. J. Coldwell, Co-operative Commonwealth Federation leader. He said: 'Rumors are floating around which discredit the Canadian Broadcasting Corp. unless they are allayed and my aim is to end these suspicious and restore confidence in this great enterprise.' He repeated his demand of a couple of weeks back for a probe by a special committee of the House into 'all that pertains to CBC!'

Coldwell charged that contrary to the recommendations of the 1938 special House Committee, approved later by the 1938 and 1939 committees, there had recently been drastic changes in the whole structure of CBC—changes, he added, which were for the worse. He declared that as a result of these changes there was a complete lack of co-ordination in dealing with major questions of management and policy. 'Efficient management,' he said, 'requires unified control of operations throughout Canada,' and he charged that the government had ignored recommendations of the special House Committees and retrogressive arrangements of managements found in the past to be disastrous in operation.

Recent fiscal returns to the House of Commons included the fact that expense accounts had been heavily overdrawn by Major Gladstone Murray, general manager of CBC, and that Murray had expended an additional \$5,000 without any special accounting. Since then Dr. Augustin I. Hignett has been appointed assistant general manager, and Murray's powers have been curtailed.

Munitions Minister Howe, replying to Coldwell, said that CBC was a corporation set under Act of Parliament with powers given to its Board of Governors by that Act. 'Neither the Minister nor any parliamentary committee has the power to interfere with the management of CBC, although a committee of the House certainly has power to recommend change in the legislation that created CBC,' he stated.

Continuing the debate, Coldwell stated that neither Murray nor Hignett were responsible, one for the other. 'What has occurred is the work of divided management' and he asked the government to set up a special committee of the House to study the influences at work on CBC.

YANKEE BANDS GO TO LATIN VIA NBC

NBC began beaming a regular series of shortwaved live orchestra broadcasts at South America this week (16). Net is picking up Frankie Master's band from the Taff hotel, New York, Sammy Kaye from the Essex House, and Arturo Arturo at the McAlpin on different nights and expects to add at least one other before the week is out. Shows occupy 8:30-9 p.m. slots and go out over the net's 50,900 watt DX outlets WRCA and WJNB at Bound Brook, N. J. Masters is scheduled for Mondays, Kaye Tuesday and Thursday, and Arturo Wednesday and Saturday.

NBC has had the idea of shortwaved music from N. Y. hotels for some time. Originally it wanted to shoot their mouth on sponsored time, but ran into difficulties with N. Y. local 802 of the American Federation of Musicians when certain points in its arrangement couldn't be worked out. Net still hopes to work out a method whereby it can sell the broadcast. Hudgins will try to clear up the disputed terms.

STANDOUT LETTERS
from STANDOUT ADVERTISERS
about STANDOUT COOPERATION
to
DENVER'S STANDOUT STATION

Kristen Flagstad Heavily Booked But Return to U.S.A. Not Certain

Kristen Flagstad has been booked for an extremely busy season by NBC. The soprano's operatic appearances will begin with Gaetano Merola's San Francisco Opera Co. where she will sing in 'Tristan' and 'Thun-hausen' and then is scheduled for 30 odd performances at the Metropolitan.

NBC has booked her for a minimum of 50 concerts as well. It is understood that Fortune Gallo is dickering for her services with the Chicago Opera Co. Her first concert is booked for Oct. 17 at Clairmont, Cal.

The catch to the situation is that the singer is reported to have no fixed friends of hers in this country that she will not return to the U. S. prior to Feb., 1942. If at all, Merola is already dickering for another Isola, should these rumors materialize. Miss Flagstad would stand to lose between \$150,000-\$200,000 if she does not come back.

Jaronir Weimberger May Write an American Opera For Lily Pons to Star In

Jaronir Weimberger, Czech composer, and author of the most popular modern operas in the repertoire of American companies, 'Schwanda,' and 'Lily Pons' at her home in Horwack, Conn., is now busy writing an American opera for her. The coloratura, taking advantage of her presence in the United States, European musicians, will sing three songs by Darius Milhand, one of the great French modernists, written especially for her at Robin Hood Dell on July 22.

TIBBETT LEAD-OFF MAN FOR OBERFELDER-SALZ

Denver, June 17. The Oberfelder-Salz Greater Artists' Society starts next season with Lawrence Tibbett on Oct. 9, and ends with Henri Temianka, violinist, on April 9.

Other artists to appear will be Bido Sayer, Nov. 12; Josef Bjorling, Feb. 2; Gerald Strakosky, Feb. 2; St. Louis Symphony orchestra under Vladimir Goldschman on Feb. 2; The Little Orchestra Society, Feb. 2; Grace Moore on March 8.

The series of eight concerts is planned for the Metropolitan gallery to \$17.38 for the orchestra.

Baccaloni's 16 Concerts; Florence George Supports

Salvatore Baccaloni, Metropolitan basso, will start his tour of concerts on Feb. 28, 1942, in New Brunswick, N. J. The basso's tour of 16 performances is completely sold out.

Baccaloni will appear in scenes from 'Don Pasquale', 'L'Inferno', 'Fille du Regiment' and 'Don Giovanni.' Supporting artists include Florence George, soprano. Miss George is the wife of Everett Crabb, Broadway agent for the Metropolitan. Baccaloni has five other concert schedules alone.

Ezio Pinza's 35 Dates

Ezio Pinza has been booked for a minimum of 35 concerts by NBC for the coming concert season. The basso will tour San Francisco and Oakland in early October.

He signs with the San Francisco Opera Co. and then returns to the Met where he has been principal basso since his debut in 1928.

Raoul Jobin in Italian

Raoul Jobin, Canadian lyric tenor of the Met, will sing the Duke in 'Rigoletto' at the San Francisco Opera Co. in October.

Jobin has heretofore been heard only in French roles.

Joegies Abram, pianist, will be soloist for the NBC summer symphony orchestra on Aug. 18. Edwin McArthur will conduct.

STOKI IN LOUISVILLE

Plays Grosse Show Pavilion For 31,000 Gross With Youth Orchestra

Louisville, June 17. Leopold Stokowski and his Metropolitan Youth Orchestra appeared at the State Fair show pavilion Tuesday (10) drawing an estimated 40,000 to gross a little better than \$3,000.

While top price was \$2.65, most of the seats were priced at \$1.10. Chairs were placed on the sawdust ring, with the orchestra performing in an acoustical shell at the end of the building.

First time that a name concert attraction has been presented in the horse show building, and audience for the most part was in shirt sleeves and linen, rather than formal attire.

Stokowski created some ruffled feelings here upon his arrival from Indianapolis. When approached by reporters to state the conductor brushed all inquirers aside and refused to answer questions about an alleged feud which existed between the orchestra's tour was placed in co-operation with a member of the business staff making a claim for unpaid salary. Another ruffled temperament occurred at the end of the show when Stokowski and his podium at the end of the numbers, and refused to return to acknowledge applause.

Tauber, Now in England, May Do 'Magic Flute' Here With Pons, Nov. 10

Richard Tauber, 48-year-old Austrian, is reported signed by the Metropolitan to sing in a planned revival of Mozart's 'Magic Flute.' Others in a pencil-draft cast, include Walter and Josef, both of whom are understudy; Jarmila Novotna, Salvatore Baccaloni, Paul Althouse, and Alexander Brailmont.

Tauber has sung in opera in every European city since his debut in concert in the U. S. He is now in England.

FORTUNE GALLO WILL TOUR BALLET RUSSE

Original Ballet Russe will tour this season under Fortune Gallo, operator of the San Carlo Opera.

Gallos was booked last season by Sol Hurok, playing an extended engagement in New York and then embarking on a U. S. and Latin American tour. However, the latter ended suddenly in Havana under controversial circumstances and is now the subject of litigation. Col. de Sault is director of the company.

URUGUAYAN DANCERS TOUR U.S.A. IN FALL

Carmelita Marcell, Uruguayan dancer, has been already set for over 40 engagements by Columbia Contracting for the forthcoming season. She opens in Denver Oct. 28.

Columbia intends to push the dancer and hopes to secure 60-80 bookings for her. A N. Y. stay is planned. She has eight other girls in her company.

Buffalo Season Booked

Buffalo, June 17. The Zorah Berry Concerts this season will comprise 13 soloists, Oct. 14 to March 24. Prices of admission range from \$7 for the series in the 18th Street and Liberty to \$15 for the first 16 rows of the orchestra.

Artists set to appear include Helen Traubel on Oct. 14; Fritz Kreisler on Oct. 14; Arthur Schnabel on Oct. 11; Lily Pons on Nov. 25; The Boston Symphony Orchestra under Serge Koussevitzky on Jan. 15; Philip Brining on Jan. 15; Dalies Franz and Gregor Platigorsky on Jan. 27; Lawrence Tibbett on March 10.

'Tripp Family Singers, the Minneapolis Symphony Orchestra under Dimitri Mitropoulos, Oscar Levant, and the company of Pies and Godes, and The Costaich chorus under General Platoff all will appear.

Representing summer and fall Philharmonic under Franco Arturi has booked 10 concerts for the forthcoming season starting on Oct. 15. Soloists are Joseph Schuster, cellist; Leonard Surov, pianist; Joseph Scharf, violinist; Joseph Scharf, baritone; Joseph Seiget, violinist, and Rudolf Serkin, pianist.

Budget Lewisohn Outdoor Concerts At \$210,000 For Summer of 1941

Kreisler Back Oct. 14

Fritz Kreisler is scheduled to make his first appearance since his bad accident in April, in Detroit on Oct. 14.

The violinist, in his 67th year, is booked solid for 30 concerts at the Metropolitan from October through January, 1942.

RIO DE JANEIRO OPERA STARTS REHEARSALS

Rio de Janeiro, June 7. The seven-week opera season here begins Aug. 5 to Sept. 23 will be under the direction of impresario Silvio Firsiroti. Rehearsals are now going on with many of the principal singers already arrived.

Repertoire will include 'Simon Boccanegra', 'Otello', 'Tosca', 'Rigoletto', 'Carmen', 'Samson et Delilah', 'Werther', 'Meistersinger', 'Thais', 'Boris Godunov', 'Salome', 'Gianni Schicchi', 'Pagliacci', 'Bohème', 'Cavallieri', 'Trovatore', 'Lucia', 'Iris' and 'Il Guarany'.

Among some of the singers engaged who are known to American audiences are Anthony Marlowe, Alexander Sidiyev, Sidney J. Judith Hellwig, Tito Schipa, Herbert Janssen, Josephine Williams, Raoul Jobin, tenors, Milan Milutinovic, Magna, Norina Greco, Hilda Reggani, Bruno Landi, Josef Bjorling, Pomille Malatesta, Armando Biondoli, Salvatore Baccaloni, and Ludivico Oliverio. Genaro Papi will conduct.

Barzin Orchestra Group Opera Prime for '41-42

Leon Barzin's National Philharmonic Association has commissioned a new opera by a South American composer with a South American theme, as its stand-out work during the next season. The orchestra will give its usual six Monday night concerts starting Nov. 10, with the premiere of the new work to be March 18, 1942.

The Group Opera, an association of young American singers with whom Barzin produced three operas during last season, will appear in a summer series of five soloists with the old.

MARTINELLI'S 15 CONCERTS Begins 29th Season with Metropolitan in Fall

Giovanni Martinelli has been booked for some 15 concerts in the fall by NBC and will spend part of the summer as principal tenor of the Cincinnati Opera Co., where he will appear in 'Otello', 'Giocanda', 'Aida', and 'Pagliacci'.

Martinelli opens his concert tour on Oct. 3, and will appear in joint concert with the Chicago Opera Co. prior to rejoining the Met for his 29th successive season, a record.

Jooss Ballet Arrives

Jooss Ballet, from Darlington-Hall, England, has arrived in the U. S. from Venezuela and will tour this country and Canada. This season under United Booking Office direction. It has just completed an extensive tour of South America.

Company has made five previous tours of the U. S. since its debut here in 1933.

Josephine Anulanda and Salvatore Baccaloni, coloratura and basso of the Met, have been engaged to appear as soloists with the Harlem Philharmonic Society at the Waldorf-Astoria hotel, N.Y., in the fall.

A budget of \$210,000 has been set for the 24th successive season of the Lewisohn Stadium concerts which begin tomorrow (Thursday). Initial program includes Artur Rodzinski as conductor, and Arturo Bruchman as soloist in an all Chalkovsky program.

There will be 58 performances, barring rain, during the summer months, with a weekly budget of \$22,500. The Stadium draws from \$1,500 on the average to tops at \$14,000 when exceptional soloists are appearing. An annual loss of \$25,000-\$50,000 occurs.

Important dates set are Lily Pons on July 25, 18, 26, 27; Beniamino Cappelletti, June 27; Beniamino Cappelletti and his band on July 14, and Ezzel Zimballist on Aug. 11.

Lothar Wallerstein Joins Met as Stage Director; Negotiated for 2 Years

The Metropolitan Opera Co. has signed Dr. Lothar Wallerstein as stage director. Wallerstein is a Czech, who has had his career with the Dresden Opera.

Wallerstein has frequently worked with the Metropolitan under the direction of Richard Strauss, and his signing comes after two years of negotiations on the part of Edwin Johnson, General Manager of the Met.

NBC INSTRUMENTALISTS TOUR LATIN REPUBLICS

Seven of NBC's instrumentalists will tour South America this summer. The tours will include every instrument in the orchestra.

The instrumentalists are Nathan Milstein, violinist, Alexander Brailmont, pianist, Charles M. Scripps, Foidl Milner, pianist; George Sandor, pianist, and Alexander Borokoff, pianist. Josef Seiget, violinist, will appear as soloist with the Mexican Symphony orchestra on three occasions during August.

Artur Schnabel Resumes Concerts After Year's Rest

Artur Schnabel will return to the concert stage after a year's absence this season. The pianist has been devoting his time to composition.

He is booked for six appearances in the U. S., including a Schubert Cycle at Town Hall under the sponsorship of the New Friends of Music. These will consist of a Schubert Cycle at Town Hall under the sponsorship of the New Friends of Music. These will consist of a Schubert Cycle at Town Hall under the sponsorship of the New Friends of Music. These will consist of a Schubert Cycle at Town Hall under the sponsorship of the New Friends of Music.

WEEDE'S NEW ROLES

Set for Three with San Francisco Opera in Fall

San Francisco, June 17. Robert Weede, whose debut at the Met last March 8 in 'Rigoletto' was most successful debut of season, has been booked to sing soloist with the San Francisco Opera Co. This fall, they will include 'Tosca', 'L'Amore del Re' and 'Barber of Seville'.

The baritone has cut six records for the principal Wagnerian tenor with the San Francisco Opera Co. This fall, they will include 'Tosca', 'L'Amore del Re' and 'Barber of Seville'.

Melchior Set for 15

Lauritz Melchior has been booked for some 25 concerts for the fall season starting in Memphis on Oct. 15. Soloist will spend the summer resting.

He is as usual, scheduled to appear in principal Wagnerian tenor with the San Francisco Opera Co. and with the Met where his usual 30 performances will be given.

Berle Hypoes Lopez to Fine \$41,000
In N. Y.; Miller Hefty \$46,000, Chi, Lombardo, in 5th Pitt Date, \$19,000

(Estimates for This Week)—
Les Brown, New York (7)—\$1,767; 35-55-85-99. With Bea Wain and Dixie Dinkler on stage, "Million Dollar Baby" (WB) on screen (2d final week). Slow going at less than \$20,000 for holiday, following mid first week's take of \$7,000.
Bob Crosby, Philadelphia—(Epic); 2:50; 35-46-57-86-75. With "Million Dollar Baby" (WB). Only three supporting acts on stage. Band generally doing laurels for engaging \$23,000, plenty good.
Jimmy Dorsey, Washington (Capitol); 3:54; 29-39-44-66. "Broadway Limited" (UA) as screen sup. Port. Dorsey's organization credited

with dragging in most of the \$20,000, tomatch takings.
Ted Fio-Rino, Chicago—(State-Lake); 2:00; 28-44. Paired with second-run "Girl, Guy, Go!" (RKO). Band is getting full credit for happy \$17,000, because the film is a loop replayer.
Ira Ray Hutton, Baltimore—(Hippodrome); 2:40; 15-28-39-44-55-88. With "Affectionately Yours" (WB). First-run picture is not helping this orchestra, with full burden resting on femme leader's aggregation. Only mid first week's take of \$10,000 or thereabouts.
Red Lewis, Indianapolis—(Lyric); 2:00; 35-46-57-86-75. With "Angels with Broken Wings" (Rep). Band not

getting much assistance from the film, but gross profitable; \$11,500.
Vince Lopez, New York—(Paramount); 3:04; 35-55-85-99. Plus Milton Berle on stage and "Night in the White City" (WB) on screen (2d first seven days ending last night (C-7c)) \$41,000. In-person appearance with substantial portion of the draw. Into second-final week today (Wed).
Jimmie Lunceford, Los Angeles—(Orpheum); 2:00; 30-44-55. Orchestra teamed up with two pictures in "Old Colorado" (Par) and "Strange Alibi" (WB), neither of which mean much to the customers. Take of \$11,000.
Glenn Miller, Chicago—(Chicago); 4:00; 35-55-75. "Night in the White City" (WB). Regarded as a real combo for theatre, with both Stanley Kay for bulk of heavy \$46,000, and Guy Lombardo, Pittsburgh—(Lantern); 3:00; 25-40-60. "People vs. Kildare" (M-G-O). This is the fifth appearance of the combo of Lombardo aggregation in as many years, and he continues to hold his followers. Not much ad coming from picture vehicle, with orchestra's popularity held accountable for most of handy \$19,000.

Bands at N.Y. Hotel B.O.

Table with columns: Band Name, Week, Total, Covers, Total. Lists bands like Navy Heatherson, Billy Taylor, etc.

Scott's \$4,800 Tops One-Nighter Takes, Basie, \$3,407; High Gate Trips Inkspots

(Estimated)
Bob Chester (Pleasure Beach, Bridgeport, Conn., June 18). Chester's take of \$681 with 1,118 at 77c was fair.
Bob Crosby's date at Harshey Park, Hershey, Pa., May 30, reported as drawing 1,718 admissions, actually grossed \$2,919 at slightly less than \$1 per from 2,816 patrons.
Count Basie (Stambridge Aud., Youngstown, O., June 14). Basie drew great 2,845 admissions at \$1.15 here, then shifted to Greystone B., Detroit, for final 2,743 Sunday (15) from 1,943 at 75c advance and 800 at door at 90c.
Benny Bergeron-Red Norvo (Raymor-Playmor B., Boston, June 13). In twin spot Bergeron and Norvo got 1,800 dancers at 85c-55c for each \$980. Shep Fields (Keith theatre, Huntington, W. Va., June 15). Approximately 3,700 admissions reported to Fields in three shows, giving 1,200-seat house \$1,800 gross.
Leighton Gray-Harold Dowling (Raymor-Playmor B., June 14). Local pair brought in 1,400 at 85c-55c for okay \$540.
Jimmie Grier (Nietartium Park, Spokane, Wash., June 14). Grier brought fair 1,450 dancers for gross of \$1,230.
Blossie Heldt (Embury theatre, Port Wayne, Ind., June 13-15). Heldt cracked theatre's three-day mark despite poor weather first two days. Gross \$12,811, paying to 35,000 people in 2,900-seater.
Inkspots (Harlem Square Club, Miami, Fla., June 12). High admission dance group (Totem Pole B., Attumdale, Mass., June 9-14). Krups set up a new six-day mark at this spot with 15,500 people in six days, piling up \$9,112 at \$1.26 coupon. Spot can now handle more people than winter's average.
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Xavier Cugat THE RHUMBA KING

Advertisement for Xavier Cugat's Waldorf-Astoria Hotel. Includes text: 'SMASHING ALL RECORDS!', 'WALDORF-ASTORIA HOTEL', 'RENEWED FOR THE SUMMER', 'COLUMBIA RECORDS', 'INTERMEZZO', 'MUSIC CORPORATION OF AMERICA'.

Band Bookings

Bill Barlow, Centennial Terrace, Springfield, O., June 18, two weeks.
Kenova Park, Kenova, W. V.; week, July 5.
Benny Bergeron, July 21, five days, Steel Pier, Atlantic City.
Henry Basie, June 29, Lake Breeze hotel, Buckeye Lake, O.
July 12, Blue Moon-Club, Bunkie, La.
Cab Calloway, June 27, Lake Wales, Bruce, Syracuse, Ind.; 28, Castle Farms, Cincinnati; 29, Savoy B., Chicago.
Coney Island, Cincinnati: Current, Johnny Messner; June 20-28, Bob Chester; 27-July 4, Red Norvo; July 5-10, Al Kavelin; 11-17, Raymond Scott.
Al Donahue, June 21, Sweet's B. Sacramento, Cal.; 22, Sweet's B., Oakland; 25, Hiwashta Gardens, Colorado Springs; 26, City Terrace, Wichita; 27, Fairland Park, Kansas City; 28, State Fair Park, Milwaukee.
Jimmy Dorsey, June 22, Pier B., 2:00, 3:00, 4:00, 5:00, 6:00, 7:00, 8:00, 9:00, 10:00, 11:00, 12:00.
John E. Fitzgerald, June 23, Aud. Phoenix, Ariz.; 25, week Orpheum theatre, Los Angeles.
Woody Herman, June 27, Romana Gardens, Grand Rapids, Mich.; 28, Florida Park, Dayton, O.; 29, Myers Lake Park, Canton, O.
Al Kavelin, June 21, Chippewa Lake, O.; June 25, week, Coney Island Beach, Detroit; 4, Coney Island Park, Cincinnati.
Sammy Kaye, July 9, Hershey Park, Hershey, Pa.
Harry James, July 4, five days, Sea Girl Inn, Sea Girl, N. J.
Inkspots, June 24, Memorial Aud., Chattanooga, Tenn.; 25, City Aud., Albany, Ga.; 28, Municipal Aud., Birmingham, Ala.; 27, Paradise B., Nashville, Tenn.; 28, Beckley Arena, Beckley, W. Va.
Clay Lucea, July 4, week, Palladium Park, Fort Lee, N. J.
Jimmie Lunceford, June 24, July 21, Cass Manana, Hollywood; 23, week, Golden Gate theatre, San Francisco; 31, Riverside Park B., Phoenix, Ariz.
Johnny McGee, June 21, Potomac River, Lin. Washington, D. C.
June 22, Fernbrook, Dallas, Pa.; 28, Steel Pier, Atlantic City, N. J.
Jimmie McHester, June 15, Merry-G-round, Dayton, Ohio, for three weeks; June 9, Virginia Beach, Va., nine days; July 18, two weeks, Erie theatre, Washington, D. C.
Eddie Miller, June 27, Lincoln Field House, Wisconsin Bands; 28, Prom B., St. Paul, Minn.
Benny Rapp, July 7, week, Emma Jettick Park, Auburn, New York.
June 20, week, Falmouth Beach, Cape Cod, Mass.; 27, week, Brighton Beach, New York; Aug 8, week, Manhattan Beach, N. Y.
Orin Tucker, July 10, Lakeside Park, Mahanoy City, Pa.; 11, Geo. P. Pavillion, Johnson City, N. Y.; 13, Pleasure Beach Park, Bridgeport, Conn.; 14, week, Virginia Beach, Va.
Joe Vesutti, June 27, week, Erie theatre, Philadelphia.
Phil Brito, vocalist at Al Donahue's band, currently at Palladium, Hollywood, has been given four extra NDC sustainings of his own with Gordon Jenkins and Bud Dant Woodley, Tuesday, Wednesday and Saturday each week.

Benny Goodman Plays Third Negro Musician

Benny Goodman adds his third Negro instrumentalist to his band next week when drummer Sidney Catlett moves over from Louie Armstrong's band to take Nipper's place. Goodman has signed Catlett, who was with Armstrong for several years, to a one-year contract. He joins Cootie Williams, trumpeter whom Goodman took from Duke Ellington, and Billie Holiday, Charlie Christian, colorad guitarist.
Other changes in Goodman's band include Benji Wellin, shifting from Muggsy Spanier's new band to replace Johnny Guarnieri; Clinton Nagele, from Gene Krups; Gene Kinlay, sax. Krups played recently took on a colored player, trumpeter Roy Eldridge.

Penn Roof Not Running

Pennsylvania Hotel New York is not going to use its Roof layout this summer. Because of the closing of Gene Krups and the opening of Bobby Byrne last week 19 both Cafe Rouge was redecored and redecorated and bands will remain there through the season.
No reason for the switch other than to try it out. Rouge is air-conditioned.
Frank Marshall band will alternate with Earl Coleman's at Piping Rock Club, Saratoga Springs, opening June 28 for five weeks.

JOHNNY LONG and his orchestra. NYC-DECCA RECORDS. GENERAL AMUSEMENT CORP.

CHARLIE SPIVAK and his orchestra. GLEN ISLAND CASINO. CBS-MBS. OKEH RECORDS. GENERAL AMUSEMENT CORP.

ATTENTION NAME BANDS! PALACE THEATRE, Toronto, Can. New Booking Name Bands for ROOM FOR TWO, EUGENE, 1,500 BRONX/TORONTO, 1, WE'VE JAMMER HERE, 688 Christie St., Toronto, Can.

INSIDE STUFF

Inside Stuff—Orchestras

Johnny Long band, currently at the New Yorker hotel, N. Y., where it opened June 11, works a seven-day week despite N. Y. local 802 of the A.F.M.'s ruling that any band playing within its jurisdiction must have at least one day a week off. Long, by permission of 802, works the seven-day week and gets double salary. Full week is because it would cost too much to rehearse a replacement band to play for the New Yorker's floor show. Bands at Madison Square Garden, New York, work seven days. They are contracted and paid for 14 days, however, and work only 12, the two remaining representing days they should have had off. Pit bands at theatres such as Loew's State work six weeks through and have the seventh free.

Sid Weiss, bassist with Tommy Dorsey, is getting in short practice session with the band, after recovering from an infected wrist resulting from a bit of horsemanship. Play has been out of the band about two months because a broken wrist bone, suffered when he punched another member of Dorsey's band on the arm.

Break went unnoticed by him and by the time a doctor was called to look at it the arm became infected. It was necessary to employ a drain.

Helen Ward, ex-Benny Goodman vocalist, is becoming something of a studio singer at Columbia Records. Her voice is currently on two recordings made by separate bands which normally don't have female singers.

She cut 'Daddy' with Harry James and 'I Take to You' with Matty Malneck.

Jukers Benefit From Influx of Many Good Tunes

Six months ago the music business found itself in the doldrums in so far as new and worthy popular tunes were concerned. Recorded versions of pop melodies remained in coin machines much longer than they deserved because there was nothing new and powerful enough to displace them. The result was a condition which had machine operators digging deep for stuff to offer to a rush to change of diet in hotel boxes, the past month has brought a jolt of new tunes. Now instead of holding melodies until they will from overlying operators are finding it hard to retain some good tunes long enough to push the ones that are riding high through a tendency toward another good one which have not kicked far off its peak. With such tunes as 'Daddy,' 'Intermezzo,' 'Aurora,' 'My Sister and I,' 'Hit-Sut Song,' 'Green Eyes,' 'Maria Elena' and a host of others they are showing high potentialities, operators are having a field day.

BOB ASTOR, NEE DADE, IN N.Y. TO FORM BAND

Bob Astor (formerly Bob 'Killer' Dade, ex-record program jockey on KMTB, Los Angeles) is in New York trying to assemble a new band. He started to start a stretch at the Wigwam, Budd Lake, N. J., June 25, by MCA. Astor once led a mixed colored and white band on the Coast. He informally tags his new setup as 'Five boys and a girl.' Band includes 'Luneford,' Swing With a 'Basic Beat.'

Moe Gale List Expands; Adds Golden Gate 4

Moe Gale is gradually enlarging the list of talent his orchestra represents. Latest addition is the Golden Gate Quartet, which is being booked on a tour of southern spots. Previously the office had taken spiritualist Sister Tharpe, who was paid for vocals, to play at the Lindler's orchestra. Maxine Sullivan and Benny Carter's orchestra, which will be paired on another series of dates.

Gale also handles Ella Fitzgerald, Inkspots and Erskine Hawkins.

Wally Steffer's orchestra, with Marvin Darling, at Rileys' Lake House, Saratoga, N. Y.

Page the P. A.

Probably the tops in long-distant reservations is administered by Meadowbrook, Cedar Grove, N. J., last week when a wire from Deland, Fla., requested space be held for Saturday night (14).

She cut 'Monroe band is current at the spot.

Anton Weeks Permanently Loses Use of One Arm Because of Iowa Truck

Anton Weeks is permanently injured as a result of the bus crash which he was riding on several months ago near Davenport, Ia. Leader is working with his hand, after spending weeks in the hospital, but cannot raise one arm above hip height, which forces him to forget playing piano. Quitt is currently working at Euclid Beach, Cleveland.

RECK'S DOUBLE AWARD AGAINST SAMMY KAYE

Norman E. Reck was granted double damages against Sammy Kaye in N. Y. supreme court Monday (16) when Justice Samuel I. Rosenman reversed a former decision awarding Kaye's had been awarded \$1,447 for the injury he had, and now will receive \$2,894.

The court had ruled that both Reck and Kaye were engaged in interstate membership. Quitt is currently working more than the standard number of hours for Kaye. Reck had acted as publicity man, and in general, Kaye's right hand man. Reck complained he had been forced to work over 90 hours weekly on some occasions. Under the court's standards of 1938, Reck was entitled to liquidated damages as well as the actual sought.

Just Like Home

Blue Barron has been booked for a fifth straight season at the Edison Hotel, New York. Band is currently at the hotel, moves out July 11 and back in Sept. 4 for 17 weeks.

Edison's Green Room will close for the summer while it undergoes a refurbishing.

288 PERFORMANCES THEATRE WEEKS

Convention Also Acts to Confirm Name Bands Playing State Fairs to Single Event For Which Attraction Is Booked—Seattle Acts on 'Canned Music' Problem

SLATE RE-ELECTED

By DON REED, Seattle, June 17. The 46th annual convention of the American Federation of Musicians wound up its business Saturday (14) with much of the expected fireworks absent. Canned music and changing band regulations were chief spheres of convention activity. A resolution approving all actions for the past year of President Pettitello was passed, which put a definite stamp of approval on all present policies.

With regard to the canned music issue, the seven resolutions working on this presented one (59) was passed and the six others (58-60-61-62-63-64) were referred to Executive Board for action. Delegates were told that the A. F. of M. will take immediate and aggressive steps toward some type of limited control of the musicians of the country will receive some recognition for the widespread and increasing use of recorded and transcribed music used on its networks, and to take whatever steps were necessary to increase the hiring of live musicians by C.B.C.

President Pettitello, vice President E. Bagley, secretary Sam Birnbaum, and treasurer Harry Brenton were the officers re-elected and incumbent Executive Board members retained: A. C. Hayden, Oscar F. Hill, John W. Parks and Chauncey H. Heavers. (There was one change in A. P. of L. convention delegates, Vincent Castrovano replacing Edward Canavara.)

No Election Change A small but vociferous minority fought for the passing of a resolution calling for the election of officers and passage on important matters by a referendum vote of the entire membership. Quitt is currently working more than the standard number of hours for Kaye. Reck had acted as publicity man, and in general, Kaye's right hand man. Reck complained he had been forced to work over 90 hours weekly on some occasions. Under the court's standards of 1938, Reck was entitled to liquidated damages as well as the actual sought.

Other actions of the convention included the limiting of personal expense of traveling bands, which will be okayed by the local in whose jurisdiction the appearance occurs. The limit is \$400 per week, payable by a traveling band in 24 hours; set the maximum number of shows for touring musical acts at 10 per week at 28 per week for Class A, 30 per week for Class B, with shows for 100 numbers to be paid over same; and ruled that traveling bands or orchestras playing state fairs be restricted to their show engagements only, this to prevent multiple appearances which would against local touring bands. Curtis and his traveling bands was defeated.

Two resolutions urging the retention of the Federal government's WPA musical projects were passed and the report of the WPA committee revealed that musical projects have not suffered as great a reduction as other projects. The Executive Board was directed to continue its fight to have traveling musicians included in old-age pension and social security laws, \$5,000 to British.

Consideration of the present state of affairs and the fact of lacking, with the convention passing a resolution calling for the donation of \$5,000 to the American Labor

Proser Digging Into Personal B.R. To Keep Garden Dancery Going; Maintenance Charges, Rent Cut

Canoe Namesakes

Auburndale, Mass., June 17. Bands that have lured big crowds through the turnstiles at Tolson Park Ballroom here, will have their names 'immortalized' on paddle boats rented at Northwood Park where the hoosery is located.

On July 4, the boats will be christened and launched with much fanfare.

Kaye Gets 10-Year Deal From Meadowbrook, N.J.; At Least 8 Wks. Each Yr.

Sammy Kaye's orchestra and Frank Daley, owner of Meadowbrook, Cedar Grove, N. J., have agreed to what's figured as the longest future contract ever made by a name band. Kaye has consented to play at Daley's ballroom at least eight weeks a year for the next 10 years, each date split into two four-week stretches or the full eight at one time. Terms give Kaye a guarantee of \$10,000 per year, plus 10% of gross. Kaye recently completed a record-breaking four weeks at Meadowbrook, and has had 100,000 figures set by top swing bands. He's currently at the Essex House, New York.

MOV PICKS UP BAND FROM JERSEY SPOT

MOV, New York, recently gave a new boost to 10,000 wags, by signing on adding local remote band broadcasts to its late night time. Outgoing Englewood band, the Rustic Cabin, Englewood Cliffs, N. J., and begins three weekly pickups of Alvin Karpis' tough figures on scheduling other roadhouses.

One of other N. Y. indie makes such pickups because of costly lines WMCA airs Irving Carroll's band from Jack Dempsey's Broadway restaurant and Christopher Columbus' outfit from Ellis Rendezvous, Harlem, and add other Westchester spots. WNEW for awhile ran into Glen Island Casino, N. Y., but dropped it when the station found that an hour and a half of live band recordings filled the bill—and the time could be sold.

Tommy Dorsey Sues Rapp On 60-Day \$2,000 Note

Cincinnati, June 17. Tommy Dorsey, 10,000 suit Wednesday (11) in Common Pleas court here against Barney Rapp, leader of the Blue Belandians and leader of the latter's wife for alleged non-payment of \$2,000 on a note. Dorsey's petition claims that the note was made by him Nov. 30, last, to Ruby Wright Rapp, Dorsey's 30-year-old wife, and called for payment in 60 days at 3% interest. No part has been paid and payment has been refused, Dorsey alleged.

Rapp was operating a suburban dance hall in the Elmwood section of town. Spot folded after several months.

Committee to aid British Labor, are going on record urging all patriotic Americans to avoid industrial difficulties.

The salaries of secretary Birnbaum and treasurer Brenton were each raised \$5,000 per year and lost wages raised their own convention allowance from \$15 to \$20 daily. The 1941 convention dates will be the next convention.

Dallas was chosen as the 1942 convention site.

As a matter of personal pride, after believing that given rain a weather beat the Garden Carnival at Madison Square Garden can get over. Monte Froese is digging into his personal bankroll to try and prolong the policy for six weeks at least. That would, he said, give the moderate run. The original booking was for 100 days from Memorial Day.

Readjusted Garden rental from \$1,000-a-day for 'maintenance,' plus 15% of the gross, now has been cut to \$500 a day, or \$3,000 on the new six-day week (Mondays dark now). Likewise, the policy has been slashed so that, based on past business the first two weeks, the Garden's share will be for \$4,000.

That leaves Froese the problem of bands and amortization. His first two weeks cost him \$125,000 for the orchestra—\$2,000 for Benny Goodman and \$23,500 each for Larry Clinton and Charles Barnet. Proser must cut the band out down to \$6,000, but is doing so currently, with Ben Bernie in place of Goodman, on top of Barnet and Clinton. Ochs budget is now around \$9,500.

The \$9½ for music, the \$4,000 for Garden rental could be a real nice chance a chance to minimize its losses if grossing \$20,000 a week. Opening slate backing Proser. Arnelin elected last week on his official mission, was front-man for a \$100,000 syndicate backing Proser. Arnelin elected for John Heris, Bernard Gymbel, Herbert Bayard Swope, Stanton Griffiths and C. Froese said at first, that Arnelin offered him another 1000, but it wasn't necessary until the Garden Carnival for the Garden.

WHITEMAN'S CANADIAN CONCERT FRIIDAY (20)

Chicago, June 17. Paul Whiteman has accepted an invitation from the Chicago Civic Commission to conduct a "Victory Drive" symphony orchestra at the Pershing Hotel, Chicago, Friday night (20) and will take two days off from his Chez Paree (Chicago) gig. Whiteman will be joined by Stewart and Joe Jacobson of the Paree gave him time off for the Canadian tour.

Whiteman and his orchestra close at the Chez, July 3, and the following Monday-Oakbrook, July 11. Tentative plans call for the Morris office to route the band east following Chicago theatre dates with two weeks penciled in at Monte Froese's Madison Square Garden shindig.

Peggy Nolan Injured

Toledo, June 17. Lang Thompson, orchestra leader, was injured in a car accident near Port Clinton, O., June 13. Thompson, with Peggy Nolan, his wife, was en route to Port Clinton of the band, were motoring from Cleveland to an engagement in Canada.

Nolan suffered a fractured pelvic bone in the Port Clinton hospital. Eston also was injured slightly, but was able to continue on the engagement with Thompson the same day.

On the Upbeat

Johnny Kaye has left the Glass Palace, Lawrence 43rd St. for a series of one-nighters along the shore. Betty Andrews, vocalist, back with outfit after two-month layoff.

Boyd Kuehn orchestra has snapped up the music assignment for the Chez Paree, Chicago, starting July 4. Will replace the current Paul Whiteman band.

Eralo Fields' orchestra at Trocadero, Wichita, Kansas for 10-day engagement.

Lang Thompson into Kennywood Park, Pittsburgh, for two-week stay beginning June 20.

Ted Lewis into Stanley theatre, Pittsburgh, for indefinite stay Friday (20).

Jerry Feldman, sax man and arranger for Alexander and His Band at Italy's Country Gardens, Pittsburgh, has been taken on by Alvino Key.

Fran Eckler into Sky Vue, Pittsburgh, for indefinite stay, replacing Johnny Annis crew.

Johnny Fontaine band has replaced the Joe Mowry outfit at Balconess, Pittsburgh.

Tommy Donlin's Pennsylvanians playing in terrace ballroom at Pocono Manor Inn, Pocono Manor, Pa.

Berace Parsons' orch set for sum-

mer at Columbia Hotel, Columbia, for 10-day show week-end feature.

Harold Stone is the new sax man with Louie Parsons' crew at the Clark Casino, Detroit.

Charles Fuhrman, leader of K.W. Philadelphia, house band, has been named musical director for Cape (Continued on page 55)

BLUE MOON, WICHITA, SET

Herbie Kay and Ted Weems Lead Off Summer Garden Season

Wichita, Kans., June 17.

Herbie Kay is at Blue Moon for two week opening of its summer garden. Joe Landwehr has taken over management during illness of former manager, Major John I. Dotson. Dotson has just returned home after several weeks in hospital following heart attack.

Some 200 feet of floor space has been added to summer garden of Blue Moon, already one of largest dance spots in southwest. In addition to large enclosed floor for winter dancing there is another immense floor with just roof over it. Both floors are used in summer time.

Ted Weems' orchestra follows Kay on June 20 when stays in Wichita. Paul Paradis comes in July 6 and will be here through July 15.

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by the major coin-machine distributors from coast to coast, in order of popularity, whose recordings are being played. Figures and names in parentheses indicate the number of weeks each song has been in the listings and respective publishers.)

- | | | | |
|--------------------------------|---------------------------|------------------------------------|----------------------------------|
| 1 Daddy | Sammy Kaye | Victor | (1) Republic |
| 2 Intermezzo | Woody Herman | Decca | (5) Schubert
Columbia |
| 3 My Sister and I | Jimmy Dorsey | Decca | (3) BMI
Columbia |
| 4 Aurora | Jimmy Dorsey | Decca | (1) Robbins
(Andrews Sisters) |
| 5 Nighty Night | Alvino Rey | Bluebird
Dick Jurgens | (1) Beacon
Okeh |
| 6 Amapola | Jimmy Dorsey | Decca | (13) Marks |
| 7 Dolores | Bing Crosby | Decca | (10) Paramount
Victor |
| 8 Apple Blossom Time | Andrews Sisters | Decca | (5) Broadway |
| 9 I Understand | Jimmy Dorsey | Decca | (11) Feist
King Sisters |
| 10 Music Makers | Harry James | Columbia | (7) Paramount
Decca |

DISKS GAINING FAVOR

(These recordings are directly below the first 10 in popularity, but growing in demand on the coin machines.)

- | | | | | |
|--------------------------------------|------------------------|----------|----------|----------|
| G'bye Now | Horace Heidt | Columbia | Bluebird | EMI |
| Hut-Son Song | Horace Heidt | Columbia | Bluebird | Schumann |
| Green Eyes | Jimmy Dorsey | Decca | Southern | |
| Marla Elena | Jimmy Dorsey | Decca | Southern | |
| Sorrento | Tony Pastor | Bluebird | | |
| Everything Happens to Me | Woody Herman | Decca | PD | |
| Until Tomorrow | Al Donahue | Okeh | PD | |
| Let's Get Away from It All | Tommy Dorsey | Victor | Embassy | |
| Do I Worry? | Sammy Kaye | Victor | Republic | |
| Yours | Woody Herman | Decca | Embassy | |
| | Tommy Dorsey | Decca | Embassy | |
| | Inkspots | Decca | Met Lane | |
| | Tommy Dorsey | Victor | | |
| | Jimmy Dorsey | Decca | | |
| | Jimmy Dorsey | Decca | | |

BROWN BAND A WOV IN B'WAY BO!

VARIETY said: "A year from now the Strand should be able to take credit for giving a new both house band its first real hold on the road to fame and fortune. This is why Brown's initial stage date on Broadway in fact his first stage appearance anywhere, and his first ever on television. His first step among the musical leaders of the town, and his qualifications in Brown's own eyes, are 'a real deal' as well as in his introductions. . . . Band is unexcelled on night as well as sound."

BILLBOARD said: "Buddies being a hot and solid swing crew, the Brown band turns out a sleek piece of showmanship throughout. Best bit along this line is Brown's new rendition on the ASCAP-BMI struggle which leads into the old doing good rhythm line 'Rock Around the Clock'. The dancers are a' it up, and that included everybody. . . . Band should definitely climb into high brackets at this pace. House packed last show opening day."

RADIO DAILY said: "Les is offering a 'Bill Parade' of commercial jingles. . . . The Number One song—'I'll Be Here'—is out even before the band gets into the air. . . . A swell start for Brown, a great boost for WFNW, and a good omen for a new broadcast era with radio in his stage appearance."

THE DAILY MIRROR said: "The music of Les Brown and his orchestra at the Strand has a fresh and fetching quality. The young maestro shows himself in his arrangements, and has some new ideas on tempo and mood. A swing interpretation of 'Intermezzo' is the program's first. . . . Other numbers are 'Marche Slav' and a good number of 'Intermezzo' is a flower and a satire on radio commercials, both well done."

about **LES BROWN** and his orchestra

featuring **BETTY BONNEY**

Closing Second Week, N. Y. Strand, Thursday, June 19th

Opening **FRIDAY, JUNE 20TH, Indefinite Engagement, LOG CABIN FARMS, Armonk, N. Y.**

BROADCASTING OVER WOR-MUTUAL OKEH RECORDS

Personal Management
JOE GLASER, INC.
RCA BLDG. RADIO CITY CIRCLE 7-0662

Coin-Catching Record Possibilities

Count Basie "You Becha My Life"—Down, Down, Down" (Okeh 6232). These may be best sides Basie ever made, from a commercial angle. "Life" is grooved in easy, rolling tempo, tastefully arranged and well played with various solos. Earl Warren, from the band, does a good vocal. "Down," a good machine piece, is cleverly arranged and fitted with neat Basie piano work. No vocal.

Larry Clinton "Town Tattler"—Tempus Fugit" (Victor 21446). Clinton's first try with an enlarged band. He added strings, bassoon, etc. and "Tattler" proves an interestingly developed arrangement under the new instrumentation. "Time" is adapted from Basie's "Parade." It carries a low register wallop in good tempo. It'll sell best outside machines, however. "Fugit" is too, similarly done for contrast, but it, too, makes good listening.

Harry James "Daddy"—Aurora" (Columbia 3611). James doesn't top Sammy Kaye's "Daddy," but comes close to it; his solo instrumental version with a provocative Helen Ward vocal will figure in the machines alongside Kaye's band chorus cutting. One of its best points is a flowing tempo. Reverse is a good try at "Aurora," but swinging it out after Dick Haymes' easy vocal buried the melody too much. Andrews Sisters' version of "Daddy" (Decca 3821) will find its way into plenty machines. "Time" is adapted from Basie's "Parade." It carries the stuff Andrews fans go for. Backing is an average job on "Sleepy Serenade." An unexpected item is Joan Merrill's sophisticated voice vocally "Daddy" (Bluebird 11171). She doesn't do a bad job of it, but it isn't commercial in tempo and delivery. Her try at "Intermezzo" is more in her line and she delivers a listenable vocal of the brimful melody.

Jimmy Dorsey "Rose and Frayer"—Be Fair" (Decca 3812). Two good sides. Dorsey's crack combo has been consistent with solid selling sides and these will further the string. "Rose," a strong tune, is smartly tailored and outstandingly delivered, both instrumentally and vocally by Bob Eberle. It's a future hit. Singer handles reverse, too, hitting high spots on a repeatable ballad.

Alfred Newman finished the musical score on Warner's "Sergeant York," his 150th picture during 11 years in Hollywood.

"FLAMINGO"
COLUMBIA 36147
A Great New Record by
WILL BRADLEY
and HIS ORCHESTRA
FEATURING
Ray McKinley
WILL AM MORRIS AGENCY

RAYMOND SCOTT
AND HIS ORCHESTRA
Direction
MUSIC CORP. OF AMERICA

Latin Music Subsidiaries Multiply

Warners Has New Group With Xavier Cugat A Stockholder and Fernando Castro as Pro. Mgr.

Warner Bros. music publishing group has entered the Latin-American field with the organization of a separate subsidiary, the North and Southern Music Co., Inc. Xavier Cugat is slated as stockholder in the enterprise. Another outsider given stock in the setup is Fernando Castro, who as a quill Southern Music Co. to become professional manager for the WB subsidiary. Receipt of Cugat's signature to a contract is holding up the actual filing of incorporation papers. Lecuna has been heretofore affiliated with E. B. Marks.

Meanwhile Warners has put under exclusive contract the Cuban composer Ernesto Lecuna, the source of such hits as "Say Si Si," "Siboney" and "Molanga." Agreement is for a year with options of four more years.

Iring Berlin, Inc. has also chartered a separate company to handle Latin-American numbers. This one is tagged the Latino Music Corp. Another subsidiary to be added to Warners' music setup is the Ted Collins Co., of which Ted Collins, 69% stockholder. This catalog will be the RCA affiliate. It has as a quill Collins with Colwell Music Co., another Collins enterprise, which has been licensing its tunes through Broadcast Music, Inc. Miss Smith is not connected with either pub firm.

Chilean Upbeat

Buenos Aires, June 17. Despite low-dollar value of the Chilean peso, sufficient music has been developed in Chile in the past year than has doubtless been developed in sales and caused Southern Music International to enlarge its office to care for the upstart Chilean S. Peer, president of Southern Music disclosed here.

Peer, now touring South America, said that Victor had opened a large new plant in a suburb of Santiago, capital of Chile, and that the new expanded capacity found excellent markets. Company maintains its own recording studios in town, making from 15 to 20 cuttings a month. L. R. Evans, formerly manager of the Victor disc biz in Brazil, is now the complete charge of Chile.

Upbeat, which cuts most of its Chilean stuff in B. S. is also riding the record and is reported thinking of opening studios in Santiago.

Casting In Chile
RCA has been cashing in on the small, but steadily growing Chilean film industry.

Peer said he found an increasing split between films and music. His affiliate, Southern International, is the only publisher of films in U. S. market. Only one music company comes from one of printing firms which occasionally buy the right to print 1,000 copies of a sheet music. Peer decided after a survey to increase his efforts. F. Chiles Perrano, records and talent producer, directs and conducts several programs for big advertisers, having named heads of the office.

While in Chile Peer also signed long-term blanket contracts with Renato Helmann and Hector Molinare. New selections will be published monthly for Chilean and world-wide markets. Performance rights for the U. S. will be controlled by Broadcast Music, Inc. Arrangements already have been reported to have two compositions by

Three ASCAP Axemen

Johnny O'Connor was last week named by the board of directors of the American Society of Composers, Authors and Publishers as the third member of the special ways and means committee. Other two on the committee are Edgar Leslie and Saul Bornstein.

The threesome has been involved with extraordinary authority in the matter of keeping down the Society's overhead. They not only pass on salaries and expenditures but exercise the final word on executives' and officers' expense account.

MBS' LUNCHEONS FOR MAESTROS, MUSIC PUBS

Mutual Network will host two luncheons next week in an effort to establish a clear understanding of the ASCAP faction of the music publishing industry. The first of the luncheons will be held Wednesday and it will be invited ASCAP music pubs and their professional managers. Other special together will be the next day (Wednesday) and this will be for the dance band contingent. The invites including officials of the American Federation of Musicians and Local 802.

Through the luncheons at which Fred Weber, Mutual general manager will speak, the web will seek to straighten out what it terms some misconceptions that the music and band businesses harbor about the network's methods of operation and to intensify co-operation between the publishers and Mutual.

Each writer introduced over CBS in the States and over the CBS shortwave, Latin-American network by the famed Mexican tenor, Juan Arias, now in Manhattan.

Peer expects more biz from some of the wire line, 60 commercial transmitters in Chile, 14 in and around Santiago. Radio Carrera, with 10 kw. power, is scheduled to go on the air late this month. New studios, adjacent to Victor records, are being built. Only one studio yet attempted in Chile.

RCA is building a 50 kw. station of the modern type which will be ready about 1942. Because of its superior sound and talent, this will overshadow anything in the country.

On the night spot in the capital is in the swank new Hotel Carrera, sky-scraper hostelry built with government money. The tower of local innards is sketched as the next feature attraction. There are a few small hotels in town.

Vina del Mar casino, largest on the west coast, reported a good biz during the summer. It was reported that U. S. acts being a special draw.

Convicted of Complete Run-Around by Broadcasters Society Retains Borrowers David Podell From Thurman Arnold to Organize Damage Actions Running to \$20,000,000

TRAMMELL DEPLORES

Announcement last week that the American Society of Composers, Authors and Publishers had retained special counsel to sue a trio of damage suit under the Sherman anti-trust law against NBC, CBS, the National Association of Broadcasters and Broadcast Music, Inc., annoyed the networks and there were indications yesterday (Tuesday) that NBC, anyway, will attempt to avert the actual filing of the papers by speeding up the negotiations. The legal expert engaged by ASCAP for this action, whose asking damages, it was granted a decree by Judge David L. Podell, who for the past year has been doing anti-trust work as a \$1 a year man for Thurman Arnold, assistant U. S. attorney general, who went into semi-retirement after making a fortune in litigation trust-busting, has been granted a leave of absence by Arnold so that he could handle this case.

It was reported yesterday (Tuesday) that ASCAP had received a wire from Niles Trammell, NBC prez, containing a decree by Judge David L. Podell, who for the past year has been doing anti-trust work as a \$1 a year man for Thurman Arnold, assistant U. S. attorney general, who went into semi-retirement after making a fortune in litigation trust-busting, has been granted a leave of absence by Arnold so that he could handle this case.

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Jukebox Racketeering in New Orleans

Muscle Stuff Alleged—Prominent Police Accused of Collusion—Two Operators Recently Indicted

Jesse Stool to Coast

Chicago, June 17. Jesse Stool has been named coast manager for the Loeb & Lissauer firm.

Leaves this week to take over.

New Orleans, June 17. A chief of detectives and two of his aides were accused Saturday (14) of colluding with a juke box association in forcing business men here to use the association's machines or face police retaliation according to statements placed before Superintendent of Police George Reyer by District Attorney Bernard Koche. The Orleans Parish Grand Jury will institute an investigation of charges at once, Koche said.

The accused detectives are Chief John Croch, and Detectives Joseph Schwehm and John Meredith. George A. Brennan and Dan Cohen, association operators, were recently indicted by the grand jury on charges of blackmailing business men to use their coin boxes.

Meanwhile protection for every member of the grand jury and their families was promised by the district attorney as he began an investigation Thursday (12) of three made here to use the association's machines of the injurious body.

Threats against Reyer followed an announcement by the district attorney that the grand jury would investigate police "collusion" in the alleged box racket and the looting of 23 pinball and slot machines held by officers at the first precinct police station.

ASCAP NOMINATORS READING BALLOTS

The two nominating committees appointed by the board of directors of the American Society of Composers, Authors and Publishers last week are expected to have their ballots completed within the 10 days. The printed ballots will be in the mails a few days later and it is figured that the names of the new electors will be announced by July 12.

The nominating committee for the publishing division is Ben Bornstein, George Simon and John Stenack and for the writers, Leo Robin, Howard Dietz, George Whiting, Jerry Livingston, John Redmond and Jacques Wolfe.

SPIRITUAL BORG SUIT

Sacred & Spiritual Music Co., Inc., filed suit Monday (18) in N. Y. federal court against Columbia Record Corp., Brunswick Record Corp., and their agents, seeking damages, accounting and an injunction for the alleged infringement of a song. The defendants are accused of having made records of the song without permission.

The suit is titled "What Would You Give in Exchange?" written by F. J. Bernet and published in a book called "Triumphal Hosannas," which was assigned to plaintiff.

THE SWEETEST LOVE SONG IN YEARS

WHAT LOVE SONG IS THE SWEETEST?

A natural for the Sweet Spot on Your Programs
The Billboard's Record Buying Guide, June 14 issue, says:
"What is the trend in love songs? An 'EPOCH' commercial is being advertised in the 'EPOCH' magazine which could conceivably be the biggest thing since the phonograph."

Keith Smith & Taylor, Inc. 1819 Broadway, New York City

REIS AND BLOTT, INC. 1819 Broadway, New York City

OUR NEW BALLAD FOUND YOU IN THE RAIN

(Adapted from the Chopin Prelude No. 7)

By HAROLD BELL

Our Current Song Ballad

JUST A LITTLE BIT SOUTH OF NORTH CAROLINA

Pergle-Debin-Friedman, Inc. 1819 Broadway, New York

Ralph Hawkes of London in U.S.A.

Will Handle ASCAP, Band Instrument Deals and Meet Australian and Canadian Reps While Here

British Performing Rights Society, England's equivalent of ASCAP, suffered a loss of approximately 12% in general license during 1940 as the result of the war, Ralph Hawkes, currently representing BPRS in the United States, declares in New York last week.

Greatest problem posed for the performing rights organization during the war, is this loss of licenses. It is brought about by night clubs, theatres and other entertainment places which use music being bombed out of existence, plus the large share of the radio which forces spots in evacuated areas to shuter.

Aside from this angle, receipts were good during 1940, Hawkes declared. Income from all sources, including foreign, amounted to \$3,000, 000 of which about three-quarters was domestic, he estimated. Foreign receipts will suffer this year as a result of the ASCAP-Pearl Light BPRS participation in the annual ASCAP divvy ordinarily would amount to about \$200,000, Hawkes said.

Hawkes is one of the execs of Boney & Haverty, British music firm. He arrived in the U. S. recently and will remain until about October on his company's business and that of BPRS. B&H handles the Bregman-Vocco-Coon catalog in the British Isles, in addition to the more than 100-year-old catalog of standard and pop tunes. It is also the retail music store with a number of shops, and is the largest manufacturer of band instruments in Great Britain. In addition, it operates an artists bureau with branches in various parts of the world. Hawkes' partner is chairman of the board of BPRS.

Confidant Payola

Although the British system in England of payoffs for every radio plug 'abominable,' he said it was profitable because the payoffs are sufficient income from the British Broadcasting Co. He had high praise for NBC's motive in this respect, comparing that with in this country. It is strictly a per-performance system, but times are taken by the length of time they take to play. In other words, a pop ditty that runs three minutes would be worth 75 cents, while a symphony performance point, while a symphony of 30 minutes might be worth 10 points. NBC pays to BPRS about \$1,000,000 a year, Hawkes said.

One of the reasons for the British pub's visit to this country is a negotiation of a deal with the Selmer Co. of South Bend, Ind., instrument maker, for distribution of B&H instruments in this country. This is B & H's plan to deal with the British foreign exchange fund, although part of the B & H to plant had to be turned over to the Government for war industries. Hawkes said it was not permissible to reveal what the factory is now making.

He is also huddling while here on expansion of the artists bureau, those U. S. but he is in touch with other agents, conductor Sir Thomas Beecham. Hawkes will shortly participate in New York City with rep, George Cooper, who is due around July 15, his Toronto branch manager. Hawkes' New York partner-representative, Max Winkler.

Firm's British business in 1940 was the best in years, Hawkes said, although there has been a severe lull since about April. The music catalog is the only ones that have held up since that time, he explained, and is the most popular subsidiary of Cavendish and LaFleur.

Will D. Cobb Songs Go To Shapiro-Bernstein

Shapiro, Bernstein & Co. has acquired the publishing rights to all the songs written by the late Will D. Cobb. These include 'School Days,' 'Sunbonnet Sue,' 'If I Was a Millionaire,' 'Goodbye, Goodbye,' 'Waltz Me Around Again, Willie,' and 'I Just Can't Make My Eyes Behave.' Assignments to C. G. Cobb, brother of the writer, includes the right to collect on performances, mechanical rights, and royalties.

Millie Music, Inc., formerly held the publishing rights to the Cobb brothers. Clus Edinger, who co-authored many of the numbers with Cobb, has retained his half-interest in the copyrights.

NWEN SIGNS BMI

Patches Up Contract After Previous Split on Stock Purchase

NWEN, New York, took out a license to use Broadcast Music, Inc., song material late last week, becoming the first N. Y. industry to get the let to do so. Terms of the agreement have been kept under wraps, but said to guarantee the union that no other N. Y. indie will get a better deal. First BMI staff to air went on Martin Block's Music-Believe-Balloon record program Friday night (13).

BMI and NWEN fell out soon after the beginning of the year. Station signed with ASCAP, but demanded that BMI, when the deal was made, that a block of BMI stock be bought. Other New York indies took the same attitude.

ASCAP CHIDES FOSDICK FOR WEB PATS

Pressure which had been accumulating among ASCAP board members within the past week for the Society to take part in the settlement of the web patent case, intensified at the Senate Interstate Commerce Committee on the FCC's network rules had failed by yesterday (Tuesday) to reach the point of a concrete settlement. This pressure was a strong insistence on the part of the ASCAP management to sue the composers who are becoming entangled in the senate committee's probe on the ground that such a suit would be tantamount to anything fruitful to the settlement of the ASCAP-radio fight.

While the ASCAP board members and the management were trying to come to a decision on whether to sue the letter composers, the FCC hearings, the Society used the letter route to get in a few licks at NBC and CBS at the same angle of the investigation. The letter was addressed to Dr. Harry Emerson Fosdick, of the Riverside Church, N. Y., who had as the leader of a roundrobin of clergymen appealed to Roosevelt to stay the FCC's 'hasty' drastic and ill-considered action of the FCC and warned of the serious damage that such action might have on religious, educational, and musical broadcasts. A copy of the Society's letter to Dr. Fosdick was sent to Senator Burton Wheeler, chairman of the probing committee. Dr. Fosdick and the other ministers whose names were signed to the appeal urged Roosevelt to stay the FCC's action on the ground of supporting a monopolistic policy of America's greatest music-producing industry. The standard which had been arbitrarily banned from the facilities and CBS continued to operate on Jan. 1. The ASCAP letter stated that Dr. Fosdick's statement that religious broadcasting was under no confusion by the new FCC regulations was not true and that 'unfortunately, your committee's letter is an instrument whereby religion is being used to throw confusion into a simple democratic process.'

The radio networks (NBC and CBS) continue to use the letter 'to have dealt a severe blow to American musical culture by boycotting the best American music written during the past 50 years. Such actions smack dangerously of fascism and are a direct insult to the American culture, education, democracy and Christian advancement.'

Jack Robbins added two more musician-letters to his roster, writers by signing Carmen Cavallero and Charlie Teagarden; also renewed the ASCAP relations with Cavallero, on the heels of the pianist's recent record albums, which were sold out. Also being trumpeted in the fall are two trumpet books by Teagarden.

No NBC-CBS Recaps

Recapitulation of the past week's music plugs on WCAZ, WJZ and WABC, N. Y., is not published in the current issue as a change in broadcast Music's checking service. BMI had been compiling this information from logs raised by NBC and Columbia, but starting with Sunday (15) of this week, the psychology department of the City College of New York, with BMI furnishing the whereabouts, will bear the date of such logs and recaps. VARIETY will resume these recaps next week.

BMI Okays Form For New Contract; Streibert Resigns

Broadcast Music's directors last week ratified the organization's new contract forms for station and network subscribers in addition to transcription contract which allows clearance at the source. The board also voted to quit BMI, which the said represented a type of industry activity.

The new BMI forms offer a blanket and a per program arrangement. The blanket commercial fee now is set from 15 to 1% and per program from 3% to approximately 5%. For sustaining programs it will be 1%.

Appt Receiver in N.Y. For Austrian Performance Society Taken by Nazis

A receiver was appointed Friday (13) for the property of the Staatlich Genemigte Gesellschaft der Autoren Komponisten und Musikverleger, Austrian counterpart of the American Society of Composers, Authors and Music Publishers. Justice Samuel J. Rosenman in the N. Y. supreme court. The receiver is Henry R. Propper, who has bonds for \$10,000.

Appointment of Propper was at the request of Franz Sobolik, stockholder and creditor of A.K.M. Sobolik joined the society in 1932 and is now 69.10. His claim against the society is being dissolved in Austria since the Reich took over the country in March, 1938. Claims over \$100,000 have been filed with ASCAP against its Austrian subsidiary, pianist Alf Klama.

Monroe's Par Repeat

Vaughn Monroe's recent click at the N. Y. Paramount, his first Broadway show, his appearance, that resulted in a repeat, but not a deluxer. Contract is set, but the date is indefinite, probably not before next winter.

Monroe, currently at Meadowbrook, N. Y. goes to Madison Square Garden in mid-July.

Music Notes

Constantin Kerkouloff handling the recording of 'My Little Whirlwind' at RKO.

Bernard Herman working on the music for 'Flesh and Gold' at RKO.

Frank Waxman drew the scoring assignment on Metro's 'Honky-Tonk.'

Hoagy Carmichael and Frank Loesser have written five songs for Paramount's cartoon, 'Mr. Bug Goes to Town.'

Arthur Schwartz doing musical scoring for 'The New Steps to Heaven' at Warner's.

Lee Shuken composing an original score for 'Our Wife' at Columbia.

Edward Ward moved into the Hal Roach studio to direct music for a series of streamlined features.

15 Best Sheet Music Sellers

(Week ending June 14, 1941)

Hot Sit Song.....	Schumann
Intermezzo.....	Schubert
Things I Love.....	Campbell
Madonna.....	Southern
Daddy.....	Republic
I'll Be with You in Apple Blossom Time.....	Broadway
My Sister and I.....	South
South of North Carolina.....	Decca
You and I.....	Forgie
You're a Good Man, Good Heart.....	Willson
What a Wonderful Night (Las Vegas Night).....	Decca
Amazulu.....	Marks
Do I Worry?.....	Melody Lane
San Antonio Rose.....	Republic
San Antonio Rose.....	Berlin
Yours.....	Marks

*Musical.

Mutual Network Plugs

The following tabulation of network popular music performances is confined to WOR, New York release for Mutual Broadcasting System. The compilation hereafter covers the week beginning June 9 (Monday) and ending June 15 (Sunday), from 8 a. m. to 2 a. m., and is based on daily recapitulations furnished by Accurate Reporting Service, which maintains its listening post.

TITLE	PUBLISHER TOTAL
Aurora.....	Robbins..... 19
Under the Stars.....	RCA..... 18
Harbor of Dreams.....	Miller..... 17
Beau Night in Holchicks Corner.....	Berlin..... 9
Intermezzo.....	Schubert..... 8
Hot Sit Song.....	Schumann..... 8
I Love a Little Lullaby.....	Mayfair..... 7
Love Me, Lullaby.....	Decca..... 7
One I Love Belongs Somebody Else.....	Porter..... 7
Memory of a BMM.....	Shapiro..... 7
You're Dangerous—Road to Zanibar.....	The Santly..... 7
Anything—'I-Pal' Joey.....	Chappell..... 6
Under the Stars.....	BVC..... 6
Everything Happens to Me.....	Embassy..... 6
Madonna.....	Southern..... 5
Memory of a BMM.....	Shapiro..... 5
Night Night.....	Beacon..... 5
Well Meet Again.....	Dash..... 5
Daddy's Little Girl.....	Parson..... 4
Delores—'Las Vegas Nights'.....	Shapiro..... 4
Don't Cry, Charlie.....	Shapiro..... 4
Under the Stars.....	Goodbye..... 4
Rose and a Prayer.....	BVC..... 4
When the Sun Comes Out.....	RCA..... 4
When the Sun Comes Out.....	Republic..... 4
When the Sun Comes Out.....	Decca..... 4
When the Sun Comes Out.....	Ziegfeld..... 4

*Musical excerpt.
† Production number.

Proser Digging

(Continued from page 3)

coincidental, since they're sportsmen-fanciers closely identified with the financial operation of the Garden. Summer has always been a problem for the big area and anything smacking of a possible successful operation was attractive. Hence the Garden readjusted its terms downward, rather than the start. In a manner in which the MSG staff took its first money, right off the top, long before the Proser. Even some \$7,000 expended for supplementary luncheons was immediately taken out.

Involved Affairs

The financial structure of Proser's venture is said to be quite involved with that of the Garden. The Garden's Dazian, is prominent therein, having done the decor from Clarke R. Proser, but the latter's own summer has always been a problem for the big area and anything smacking of a possible successful operation was attractive. Hence the Garden readjusted its terms downward, rather than the start. In a manner in which the MSG staff took its first money, right off the top, long before the Proser. Even some \$7,000 expended for supplementary luncheons was immediately taken out.

Proser, although letting out the gross pre-staff of mine, has them working for him and continuing gratis because of their personal regard. The p.a.s regret that some of the three-day layouts in the Saturday photo weeklies may break too late to do the job, any good. Meantime, the advertising in the daily is being sharply curtailed. Mondays are no more now; only six days of operation.

Garden this past weekend was running around \$3,000 behind the same three days (Friday, Saturday and Sunday) of the previous week. With the idea that the venture can go on, the Garden is expected to continue, regardless of the outcome at the Garden, Milton Pickman, Proser's chief adviser, plans to put the company lining up dates. He figures on leaving in two weeks.

John Leopold, Irving Talbot and George Parrish writing musical backgrounds for 'The Parson of Parnamit' at Paramount.

BMI OKS ROYALTY PAYOFF

ASCAP Web Suits

Continued from page 4

all but two of the defendants elected to effect a settlement. Immediate reaction of NBC and CBS spokesmen in New York to the announcement of the proposed suit was that while they realized that the picture was presented, the unsatisfactory meeting with the network affiliates they saw no reason why they (NBC-CBS) shouldn't continue to attempt to reach a settlement with ASCAP. An NBC vpy is dated to meet with John C. Fine, ASCAP general manager, today (Wednesday) for further discussions of the picture presented. The negotiations with Columbia have been a standstill for two weeks, as the ASCAP board has declined. Most of the NBC and CBS higher-ups have been occupied in Washington by the Senate committee probe since June 2.

Morris Stoloff drew scoring logs on two in 'Sunshine in Society' and 'Two in a Tuxi' at Columbia.

Freedley sends SOS for Gratis Names To Supplement Army Camp Units

Vinton Freedley, who by the end of this week will have four vaude units touring military camps on grand cruises for the Army and Navy, is experiencing his greatest difficulty in getting star names to head the units. Original plan was to have a performer who could qualify as a celeb going out with every camp unit. Other performers are paid.

Freedley declared that he has found no lack of cooperation by name players, but it is difficult to get in touch with them and, when they are located by kind of much telegrams, proving it difficult to make it hard for them to accept dates. He can easily obtain picture people via his Coast affiliate, but wants to hold them for use in western units. He feels there should be plenty of Broadwayites available to fill in the east.

Two units are currently out, only one of them with a name, Allan Jones, obtained by Freedley from the Coast. Crew opened at the beginning of last week at Fort Bragg, Calif., for four days. The following week to Freedley from Capt. D. H. Holliday, Bragg's morale officer. Unit will rest for a few days in spite of rain three nights. Allan Jones, Lew Parker and troupe comprise a most complete team of entertainers. Many thanks.

James unit, designated as A, is at Anderson Arsenal, near Fort Ord, today (Wednesday). Unit B, which opened at Fort Hancock, N. J., last Friday (12), will be at Fort Watertown, N. Y., today (Wednesday) and tomorrow. It includes George Douglas, Fred Taylor, Johnson, soprano, Ginger Menzers, hot warbler, and Patricia King, singer. George Douglas is manager and Carl Goldner orch leader.

Unit C is now set and will open at Fort Hill, Okla., tomorrow (Thursday). It's comprised of Harry Savoy and Co., vocalists, and singer; Janice Williams, tapstress; Tommy Trent, 'Punch and Judy'; and Harry Gainsworth, pianist. Manager is Hy Blaine and orch leader is Bob Kroll.

Unit D opens Saturday (21), at Fort Riley, Kan. It includes Don Rice, m.c.; Three Sisters Sisters, harmonizers; Ted Lester, musical director; Marie Healy, lead singer; Arden, comedienne; Mary Fairchild, tap dancer; and possibly Christine Edwards, warbler. Manager is Welsbro and band leader is Dave Scholter.

Unit E is tentatively set to pre-empt at Indiantown Gap, Pa., next Wednesday (25) with two others to make a total of five units. All acts are booked for two weeks. How long the shows will play beyond that depends on when field surveys for the troops begin, probably sometime in July.

\$1,000 Weekly for Talent
Freedley is allotted a maximum of \$1,000 a week for each unit. Most of them are not running beyond \$600 or \$800 with the army camps due to much of the traveling expenses, and food and lodging.

Contracts to the shows which are provided by each camp unit, are proving a great surprise to people with the army camps, as almost invariably extremely capable, many of them having a number of good musicians and some good bands. However, the orch leader who goes out with each unit is also a singer and can sing and dance and band proves incapable, as it did at Mitchell Field, L. I., Sunday (15) night for Unit B.

Maurice Golden, who was manager (Continued on page 45)

Suspended Sentences Of Counterfeiting Artists

Utica, N. Y., June 17. Given suspended sentences after pleading guilty to passing and possessing counterfeit coins and conspiring to make them, a vaudeville trio of young men promised Federal Judge Frederick H. Hays in Federal Court here they would make better use of their talents in the future.

The trio—Louis A. Ascollio, 24, a vaudeville singer; Louis Baker, 23, harmonica player, and Harold Lipman, 23, hoodler—had about 500 50c counterfeit coins and \$100 in bills when Secret Service agents caught up with them in Troy after a trail of the fake coins had been left in Albany, Senecaclay and Cohoes. They had mouhds, which the agents claimed were used to make the 50-cent fake coins.

Ascollio was sentenced to the federal penitentiary at Lewisburg, Pa. for two and a half years, and Baker and Lipman for two years each in the same institution. All three were placed in suspended and each was given a probation for three years. The trio said Boston was their home.

Defense Comes First

Detroit, June 17. Opening of the Hotel Wolverson's new nursery, The Tropics, is delayed by Government officials of DPM.

It is decided that the compressors to be used in the air-conditioning plant at the Tropics were needed for a new bomber plant.

NBC ARTISTS STILL UNSOLD

NBC has made no progress during the past week in its move to dispose of its Artists Bureau, but it does expect to get offers within a few days from two prospective buyers, the Music Corp. of America, and the William Morris Agency. The network has also heard from several investment houses, but it doesn't seem interested in any of them.

Reported as probable bidders from the inside are George Engle, v. p. in charge of the program department, Alvin Karpis, v. p. in charge of the sales force, and George C. Stein, of MCA, has been in Seattle attending the convention of the American Federation of Musicians, and his office expects him back in New York this week.

Mich. Again Chagrins Cops By OK'ing License For Sam Sofferin Spot

Detroit, June 17. Return of his liquor license, as predicted, to Sammy Sofferin, widely known as 'Sammy the Beer', has chagrined the State Liquor Control Commission and Detroit police to investigate the matter by buying a Michigan Club, one of the oldest nightspots in Detroit, closed and then re-opened by Sofferin.

The police were just persecuting him for personal reasons. Last year ago the police backed him getting a liquor license for the Wonder Bar on the grounds that he had previously been employed as a bartender drinking at the Powatan. The State then gave him the green light.

In the intervening year, the police nabbed him on the charge of employing a minor, a 17-year-old girl, in every central city party, by pointing out he had previously been employed as a bartender at a nightery, the London Chop House, and no action was taken against the minor for personal reasons. Two juries agreed with him.

MPLS. BLUEONE AGAIN LOOSE, RAIDS NITRIERS

Minneapolis, June 17. Three of the city's leading nitrieries, the Happy Hour, Curly's and Shylock's, were raided for liquor licenses as the result of gambling raids conducted by the Rev. Henry Soltau, pastor of the local Law Enforcement League.

After a brief stretch of inactivity, the nitrieries are out on bond, pending appeal from a conviction for perjury in connection with previous raids on the booze. The cops had 20 night clubs and taverns raided for permitting gambling on the premises, who is out on bond for all cases was that the establishments operated a type of dice game.

Now They're Capitalists

Minneapolis, June 17. Safecrackers robbed the Parker House, suburban night spot, of an estimated \$4,000 in cash and checks. A few days later a daylight hold-up in the Minneapolis Brewing Co. netted \$45,000 in cash.

Herman Bernie's \$20,000 From Givrot Sets Actor-Manager Precedent

Chi EMA's Officers

Chicago, June 17. Entertainment Managers Assn. last week voted in a new slate of officers and board of directors. Danny Graham was elected president, with Joseph Conchick as vice president. Burchill as v.p.s and Lyman Goss, secretary-treasurer.

The new directors include Charles Hogan, Paul Marr and David O'Malley, retiring president.

Herman Bernie was awarded \$20,000 by Justice Morris Eder in his supreme court Wednesday (11) in an action against manager George Givrot. Bernie claimed and proved breach of a managerial contract.

Suit was a unique one, in that Givrot had a written agreement with Bernie, rather than a managerial contract. He had stated that Bernie, not having a booking license, could not recover damages. Bernie's contentions, upheld by the court, were that his services were rendered under a contract and that a booking license was not necessary under the General Business Law. Givrot had a hearing on an examination before trial, so that Bernie could not establish his damages subsequent to the termination of the agreement. Julian T. Abeles, attorney for Bernie, then pointed out the court that a yardstick on Givrot's earnings for the prior five years would be a fair means of determining the value of the agreement. Bernie's earnings at \$30,000, less \$5,000 paid \$25,000 for the prior year. The court then ordered the agreement on this basis gave Bernie the \$20,000 plus \$5,000 for the prior year, or a total of \$25,000 in all.

The ruling by the court established the doctrine that, regardless of the wording of the agreement, a plaintiff can recover without proving a breach of the agreement if the plaintiff can establish that the principal services rendered in the contract were not obtainable bookings.

The action claimed breach of a \$20,000 contract for 1933. Counterclaims totaling \$24,900 were dropped.

IRENE FRANKLIN, 57, DIES IN N. J.

Irene Franklin, the red-headed meteor of the two-day and one of its highest rated performers, died Tuesday (15) at the Englewood, N. J., hospital, three days after being stricken with a cerebral hemorrhage at the Actors Fund Home where she had lived for less than a year. While she gave her age as 57, she actually died on the 57th day of her life. Her actual age was 65, evidently in error. She was taken ill on her birthday, June 15.

In view of her past success, Miss Franklin's death was in tragic circumstances. She was early laid to rest in the New York City, columnist for the N. Y. Journal-American, saying: 'Irene Franklin speaks for her dead: you remember her. She was a real beauty, she was a real head.' She was born on June 15, 1910, and her name is spelled with 13 letters. Her mother, another Friday, June 15, is 89. Do you think anyone remembers her name?

Thus the fine character singer and mimic, the toast of the United States stage, is dead. Her death is a blow to the vaudeville world on a plaintive note of loneliness. She slipped into a coma almost instantaneously after being stricken. Even if the friends and relatives she would not have recognized them.

'Sophisticated Type'
Miss Franklin was the forerunner of the 'sophisticated type' entertainment in vaudeville. Perhaps more than anybody else, she lifted the varieties out of the brown and slapstick meter into the era of sophistication. She was satirical and satirical and beautiful. She had talent and sold talent with an unmatched personality, but, strangely enough, she never touched peak of success in legitimate shows. Vaudeville was her medium and when vaudeville fell, she fell. Her last entertainer passed with it.

Her last Broadway stage appearance was in 'Sweet Adeline' in 1929. (Continued on page 44)

INDICT EIGHT IN TRIP BACHELORS CLUB RAID

Pittsburgh, June 17. Eight men have been indicted by the county grand jury as a result of the spectacular raid April 26 on swank Bachelor's Club, one of the most notorious nitery and casino. Although only four had been indicted, the grand jury also certified that after a further investigation they found that an additional 100 persons were involved in the operation of the city's most modernistic gambling show place, which had been running for years without police interference.

New defendants are Harry Shafer, Fred J. English, in addition to Charles L. Scheffer, Milton Jaffe, Fred J. English, in addition to Charles L. Scheffer and Charles F. Teeher.

Retired big-shot owner of Bachelor's Club, however, still hasn't been arrested. State police refused to confirm or deny report that they would bring someone other than the club's owner is said to have carried private of influence with city authorities, who were touched despite fact that it had been running for seven years.

Sandy Lang Injured

Sandy Lang (Count Bernick) unit broke his leg while working at Casino, Harrisburg, Pa., Sunday (15). He is in a local hospital.

Fischer Seeking 20G War Policy on 'Tobes' Before Sailing to Rio

A \$20,000 Lloyd's of London policy stands between Clifford C. Fischer, sailing for the U.S. to Rio de Janeiro, July 18. He's awaiting an okay from London, but meantime is striving to go into revealing the end of this week with his 'Folies Bergeres', which is due to open in Rio de Janeiro. He is leaving there until December. There it goes into the casino at Mar del Plata, which is about 300 miles outside of Buenos Aires.

Fritz and Jean Hubert, Betty Fisher, sailing for Rio, are expected to have been seen off by war jitters and won't sail with the Fischer troupe. The showman himself has no qualms about making the voyage safely on a coastwise Moore-McCormick (U.S. flag) ship. He is also dicker at the moment with the Urea management to take the plane out of Rio. It would cost him 20% of the cost. It would necessitate some \$25,000 in plane passage for the troupe. He is also short on money and production and two for the company. Otherwise, passage cost by air would be about \$10,000.

Emile Bertho, Keith Clark, The Jades, Yvonne Bouvier, 3 Arnold's, and Cra's, (ex-and-Betty) is so far at sea.

'LOYAL OPPOSITION' TO AGVA IN PHILLY

Philadelphia, June 17. A branch of the Actors Betterment Committee, which is organized in N. Y. and Frisco, will be organized in Philly within the near future. The organization will act as a 'loyal opposition' to the American Guild of Variety Artists, according to reports for the past few days, who asked that his name not be used until the body gets under way.

GERT DEMMLER HURT IN ST. L. AUTO MISHAP

St. Louis, June 17. Gertrude Demmler, a dancer and former member of Ziegfeld's 'Follies in '37, suffered probable internal injuries, cuts and bruises, and a broken rib (day (11) when she was struck by an automobile as she stepped into the car in South St. to board a street car. She was taken to City Hospital.

The driver of the car was placed under bond pending the outcome of Miss Demmler's injuries. She netted \$45,000 in cash.

Strict Curfew Imperiling Niteries In Traditionally Wide-Open Frisco

Sao Francisco, June 17. Frisco niteries, never far from the clutches of the Board of Trade at bars, are facing one of the most protracted periods of curfew in their careers with police decision to tighten rather than ease the lid clamped on a couple of months back.

With two class 'A' spots (Lundy and Royal Hawaiian) already guaranteed by strict enforcement of the 2-m closing, more spots are expected to fall in this traditionally all-night town. The assumption is that a mild retreat to the extent of 1 1/2 hours, in the shape of after-hour flats and penthouses, unless the law relaxes to the extent of 2 hours, is keyed by promise of one magistrate to hand local pavement agents six months in the clink.

The Frisco picture as of now includes a half-dozen top niteries, a score of so run-of-the-mill and 2,500 cocktail lounges. Of the total, about 100 provide situations for members of the musical and dancing community from bars with a pianist to the Bal Tabarin with a 12-piece band.

Of the acts, the Bal Tabarin Club are best situated to weather the storm, being long-established institutions. The most important niterie is Joe Tenner's new Straytown to the Stars, with a seven-piece band and a six-piece orchestra (Gypsy Rose Lee came in last week following Nick Lucas). The room is large and comfortable.

Probably hardest hit are the average niteries—Lido, La Florida, La Riviera, John's, etc.—which maintain a band and a couple of entertainers and do okay so long as trade is brisk but are reduced when things slack off. With the margin of leeway small enough anyway, current curfew is sure for more than passing concern.

FT. WORTH CASA WILL BE REVIVED IN 1942

Ft. Worth, June 17. Casa Manana has been saved again. Doomed to destruction because business leaders didn't like the name of the café-theatre that came into line with the Texas Centennial in 1936 and closed for four years, the Casa will live.

The same business leaders, headed by Amos Carter, who is publisher and town booster, have decided to have architectural plans drawn immediately for renovations to be made in time for the 1942 season. It is hoped that Washington will foot the whole bill of repairing and reconditioning the theatre. An eye for soldier entertainers might mean that possible leaders say. If not able to get all of the needed funds, may an appropriation of WPA funds will come said Carter.

Gonzalo's New Partner

Battle Creek, Mich., June 17. Currently here at the LaSalle hotel are Gonzalo (formerly) and a new partner, Beryl, formerly Denise, of Darlo and Denise.

Bonds For Pay

(Continued from page 1)
to the Bond window, cash in hand. It is generally felt that the man in possession of certificates, most of them will be kept rather than cashed. Even so, the man who pays way legit company is doing may be a dress rehearsal for 'forced savings' program next month. The economy that has been anticipated if the war goes on for years, as it may.

As the case is with the local stations, with their man-on-street interviews, studio quizzes and other means of audience contact, usually give cash prizes. Defense stamps take care of the small difference between the two.

KSFO Deal Cold

(Continued from page 2)
placed through Ewing C. Kelly, Sacramento. Gordon only recently has been on KROW, doubling from his long-established NBC show, Happy Gordon's Rangers.

KROW also has an east-by-first-come, first-served radio program of six spots a day. It's a first-rate for the account across the bay. Same juicer has made a tieup with Illustrated Current News for 100 illustrations weekly window spots in the bay area.

KSAN's coverage of the inauguration of a new super-market brought in the extent of the clearing. Food dispensary signed for 39 weeks of pickups direct from the stalls, using two 15-minute periods at 1:30 a.m. and 2:30 p.m., on Fridays, the big shopping day here.

KROW's Boxing Market, San Francisco, through J. B. Hart agency, one quarter-hour and three spots weekly; William S. Galt, sports commentator, direct, three spots weekly; Dr. Raymond Shaw (chiropractor), through C. Kelly, six quarter-hours weekly, incl., 'Happy Gordon'; Pall Mall cigarettes, through Hutton, 10 spots weekly; American Trust Company, direct, quarter-hour daily during and from 2:30 to 4:30 p.m.; William S. Galt, direct, 20 spots; S. J. O'Connell, direct, 20 spots; S. J. O'Connell, direct, 20 spots; S. J. O'Connell, direct, 20 spots; S. J. O'Connell, direct, 20 spots.

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Freedley's SOS

(Continued from page 2)
of Unit B, has been upped to assistant to Harry Delmar, who is staging the shows and will be forced to travel. Golden is sitting up in N. Y. and routing 'em to the camps, where they are met by Delmar, who has been upped into shape. Golden, also a producer on his own, is the son of the late Meyer Golden, often referred to as the 'Ziegfeld of vaudeville.'

Michigan Problem

Detroit, June 17. The Army's alleged idea of 'entertainment' has provoked an uproar in these parts by hook into the open when Sheriff Jacob Thues, of Macomb County, refused to close disorderly houses adjacent to Selfridge Field without an Army order, declaring he was acting with 'the wishes of the Michigan Field command.' He said it was just practical common sense that such places be allowed to run near a camp for 3,700 men.

The State Police gave out a double take that 'no one would be given a license to violate the law, although it is not our policy to discriminate.' The group consists of 100 entertainers, 'a whole matter was a civil function.' As a result, letters to the editors are flooding in, some warning to know why the Government doesn't provide 'adequate' shows for the men.

Two 1,038-Seaters

San Antonio, June 17. Construction of one new theatre at Fort Sam Houston is under way. Completion and bids on a second theatre for this army post were opened by the Army Engineers yesterday. Each of the new houses will seat 1,038.

When the present building project will have been completed the post will have a total of five theatres.

Div's 3 New Theatres

Fort Dix, N. J., June 17. Three new theatres are included in the \$2,000,000 expansion program announced recently for this 25,000-acre post. Two of the new theatres will be in the 44th (New York) Division area. One will be a 1,038-seater and two will be 1,038-seaters. The third will be in the area occupied by Negro troops.

Because of the criticism on lack of facilities in its earlier theatres, War Department is planning construction of live shows in the new ones.

Hurricane, N. Y. Niteries, Having Reopening Snags

The already thrice-postponed reopening of the Hurricane, N. Y. niterie, was again scheduled for last night (Tuesday), but another hitch threatened to stymie the premiere. The American Guild of Variety Artists put in a demand for a bond to cover salaries of all performers.

Reopening of the Hurricane (near the Paradise) is being undertaken by Irving Zuzman, erstwhile press agent, with backing by the Y. M. C. A., socialite, and James Shen. Also in on the deal is attorney David Wolper, with whom C. Kelly has been carrying on negotiations.

If the Hurricane debuts, it will be the town's first niterie to be left on Broadway by the folding of George White's Gay White Way theatre.

Ice Rink Loses Suit Vs. Niterie of Same Name

The Club Iceland, Inc., operators of an ice rink in N. Y., lost an appeal against an injunction against the Iceland Restaurant Corp., niterie of the same name, which opened Friday (13), ruled that he failed to show the use of the name 'Iceland' through its defendant, although the plaintiff's business, or caused public confusion as had been claimed.

The restaurant has been in business since 1938, while the restaurant opened in February, 1941, as the successor to a former restaurant at the N. Y. World's Fair.

Ray Leason Mends
Ray H. Leason, former agent, who was seriously injured by a truck in New York City last month, is now recovering at St. Vincent's hospital, N. Y.

Danziger Bros., Agent Bill Miller Acquire 100% Control of Luna Park

Rockwell Topping New Carroll Coast Revue

Hollywood, June 17. The Earl Carroll's new revue, 'Something to Shout About,' opening tonight (Thurs.), will be headed by Doc Rockwell, with supporting talent comprising Borrah Mineevich's Harmonica Rascals (minus Borrah), Think-a-Dink!, George Egan, Sheldon, Barney Grant, Buster Shaver and his midgets, Olive and George, St. Clair and Day, the Debanians, Bill Brady and the Lester Horton Dancers.

It marks the fourth production for Carroll since he opened the combo theatre-cafe.

CAL FAIR'S 60C FOR TALENT, MUSIC

Sacramento, June 17. The Eye Joe Farmer is laying it out for the \$80,000 this year to support national theatre in California. At the 67th annual State Fair in this town Aug. 28 to Sept. 7. That amount of money was Jackson Park, the home of the California Agricultural Society after a session with Fox Case, chairman of the attractions committee.

Music Corp. of America, Ozarkie Nelson and Bob Crosby in the evenings, with Felix Mills and his Southern California band providing afternoon strains during the horse races.

Cal's group consists of the Texas Rangers, Gene Autry and the Ada Broadbent dancers. Autry is scheduled to appear at the State Fair. The dancers are slated for a spectacle to be produced by Adrian Arvan.

Niterie Performer Gets 5-20 Yrs. for Robbery

Detroit, June 17. Mint Evans, niterie entertainer, was sentenced to serve from five to 20 years in the state reformatory for an armed robbery charge. He held up a gas station.

Nab Deadbeats

St. Louis, June 17. Albert H. Winter, 25, a musician, and William A. 'Tony' Furse, 28, a niterie entertainer, are in the local hoosegow following their pinch in a Hollywood, Miss., for beating a local bookie. After their arrest, Furse announced departure on April 29, Furse wrote to the manager of the hotel, Twain hotel, saying 'I know Winter didn't pay because they needed the coin to get to Alexandria, Va. I was not in on it.' Furse promised to pay when the engagement was finished.

Five weeks elapsed and no word was received from the pair the hotel management put the police on their trail.

N. O. Moulin Rouge Folds

New Orleans, June 17. The Moulin Rouge, French Quarter night spot, closed its doors Saturday (16).

It had been so hot for past few months and George McQueen, who operated with Harry Bonano, band leader, decided to shut doors.

Colored Show In A.C.
Philadelphia, June 17. Irvin Wolf, proprietor of the Rendezvous at the Hotel Senator, has been asked to give up his place at Breakers hotel, Atlantic City, and will remain at the Ship Deck.

Edward J. and Harry Lee Danziger, plus Bill Miller, agents, are now in 100% control of Luna Park, Coney Island (Moore 116). They have bought out the 50% share of the park lease owned by Milton Sheen. Letter reported received \$50,000.

The Danziger brothers and Miller stepped into the Luna Park management on May 15. Last winter, when they brought into a partnership with Moore, who held 10-year lease on the amusement place. Lease, including the current season, still is nine years to go. Extensive alterations have been done on the park.

Joe 'Doc' the Albert Johnson rink revue which ran into financial difficulties, is now definitely out of Luna Park (Moore 116). The rink and the costly renovated building which housed it is empty. Last week, the customers and scenic people walked in and nailed all of those effects, with Johnson, meanwhile, apparently in the hands of the niterie Artists that he would bend every effort to make good the \$30,000 in salaries he had promised.

Johnson informed AGVA that he was trying to book the show in outside territory. He said he would pay off, but he would have to make a new deal for costumes and scenery. Johnson said he would pay off. AGVA's demand for a bond from Johnson before permitting the performance of the show was rejected. AGVA was the most ambitious production effort in Luna Park. Renovations of the rink were estimated to have cost over \$12,000, and the rink revue was to play four shows a week at \$400 per show. Johnson couldn't pay off.

Johnson's group got started. First the six pianist band members, Johnson owes the stagehands, musicians and his own personal and large staff salaries, varying from \$3,000 to \$6,000.

N. Y. SAVOY-PLAZA GIVES HILDEGARDE LONG TERM

Hildegard's new deal with the Savoy-Plaza Hotel, New York, calls for 26 weeks of the cast to appear Oct. 17 until Jan. 15 and returning Oct. 13 until end-May. In between she has an estimated \$50,000 from the Hotel Drake, Chicago, where she opened last night (Tuesday) for four to five weeks. She has an estimated \$50,000 from the Hotel Drake, Chicago, where she opened last night (Tuesday) for four to five weeks. She has an estimated \$50,000 from the Hotel Drake, Chicago, where she opened last night (Tuesday) for four to five weeks.

Meaning, the Savoy-Plaza, which induced Peggy Ferris into its Lounge Cafe as a first of fortnightly engagements over the summer, will see Howard's return. She will be joined by Emile Petri next week. Later, long Bill Grant is serving with the S-P, and Bob Gorman and the 'L. P.' band during the winter season.

Provisionally Suspend Agent's 2-Mo. Sentence

James F. Victor, agent recently convicted in special sessions court in New York, for operating without a license, was provisionally suspended 60 days in the workhouse, but it was suspended on the basis that he would return to work on June 17, 1941, to act. This he promised to do.

Conviction and sentence of Victor is being appealed to the Appellate Division by Commissioner Paul Moss, who has long been striving to tickle all theatrical agents with employment agency licenses.

Shot Out of Season

Detroit, June 17. George C. Young, 54, niterie entertainer from Toronto, was wounded in the back by a bullet fired by a player near Mt. Clemens, Mich. Shooting was accidental, since three other people in the bar and cafe were nearby at a target and a bullet was deflected. Young is expected to recover. His hospital stay is expected about 10 days.

The youths were questioned, cautioned and released. Niterie entertainers never are in season.

GOLDEN GATE, S. F.

San Francisco, June 11. Sophie Tucker, Ted Danson, Rose and Stone, Lionel Kaye and Co. (2), Ray Eberly, Paul Regan, Paul Ray Eberly, Peggy O'Neill, Lina, Charles Kingsley, George Orch. (12); 'Devil Dogs' (12); 'Devil Dogs' (12).

Sophie Tucker, grand old gal of red hot rhythms, is doing another smash this week as together on the Sophie Tucker, Ted Danson, Rose and Stone bill. A record of 10 shows could be written around this act, as it is the essence of true showmanship.

The way Sophie sells a show is something they don't do any more. Her brilliance and bo. magnetism are equally well displayed. But few indeed have the selling power, the what-it-takes of La Hot Mama. It's a wonder she's not being billed as 'last of the red hot mamas' is more than literally true. She's one of the last reminders of what made vaudeville great.

Her partner isn't much about the red hot mama stuff, either, using considerable of her night club material, more than which is enough to burn the ears of the family trade. But mob here eats it up.

Occupying a long closing spot, runner-up as soap opera, is the Ted Shapiro act on the piano cued with a musical comedy. "The Song of Music" from the "Auld Lang Syne" is patriotic. Some of it only new, but the rest is old. It's urging the femmes to take care of their husbands. The act is a switch to "Last Time I Saw Paris" with special lyrics, which damped some of the fire. Her partner switches into "Why Go To Havana?" and "Havana" exactly do for a Sunday School picnic.

With spontaneous bursts of applause meeting each other, the works backwards through "Melancholy" "Dance of the Hours" "Ball" and "Let Me Call You Sweetheart," which audience says is supporting the act. The number is this number a terrific build, displaying a numerical copy, the number into the number she practically tore the roof off. For a finish, she uses supporting little bits. "Never Too Old to Fall in Love" "The Song of Music" "The Song of Music" week, too, although overshadowed by Miss Tucker. Three Kings, two gals and one boy, are opening with "The Song of Music" in nude torso and makes an excellent display. The act is on the femmes about. Two reveals herself to break away from a crowd of men, and is on the cued solidly. For a closer, lad ballad, the pale blonde, who is a knock-out pale and catches a partner.

Deuce is Lionel Kaye, who resembles a thinner version of Paul White. He pretends to be a magician, a missing magician, dishing a smooth line of comedy party while slighting Miss Tucker. The act is a missing magician, dishing a smooth line of comedy party while slighting Miss Tucker. The act is a missing magician, dishing a smooth line of comedy party while slighting Miss Tucker.

HAMID'S PIER, A. C. (KIPPODROOM)

Atlantic City, June 15. "Crazy With the Heat" with Willie Howard, Bloss Costello, Sylvia Froos, Peggy and Morrow, William Smith, and Hoffman. Wima Werner, At Kelly, Phil "Gee Vagabond" (Rep.).

First-time Hippodrome has put on a unit and uses it to mark official debut of season. "Crazy With the Heat" with the Broadway Revue out of 45 minutes, with a crowd toward looking for the comedian. The comedian to skits, which feature a combination is there just enough singing, dancing, specialties and comedy. (16) When caught Sunday afternoon, the show was a three-quarters filled. A sunny day, many outside about other places.

Howard is in for six skits. His whistling act, "Sonny Boy" and the French skits, giving a rare lesson, were over. The act is a biggest laugh and warmest applause, getting a crowd of 100. He visits U. S. Medical Examiner's office, making it a comedy. He is a prep, preparing to obtain a marriage license. Another mirth-provoking number.

ber, when he called the working people. Bloss Costello comes heavily with her comburgins in which she dances through a series of acrobatic stunts and fiery steps. The chorus is a group of 12 girls in elaborate costumes which gleam under colored lights. Their well-timed routine is a record.

Sylvia Froos, blonde songstress, comes on with a series of songs. "Chloe," adding "Oh Johnny," "My Making Eyes at Me" on an apocalyptic note. Her vocal range is "Music" with chorus in long black and white costumes. Her vocal range is "Music" with chorus in long black and white costumes.

Strikes in the current news and a huge reel of Ted McCray, editor of the "New York Times" and "The Mirror," head the Embassy's lineup. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

With spontaneous bursts of applause meeting each other, the works backwards through "Melancholy" "Dance of the Hours" "Ball" and "Let Me Call You Sweetheart," which audience says is supporting the act. The number is this number a terrific build, displaying a numerical copy, the number into the number she practically tore the roof off.

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TOWER, K. C.

Kansas City, June 14. "Prize Winners" with Minda Long, Kelly Williams, Michael Dore, Dorothy Zane, Rhynette, and Hoffman. At Thompson, George Gillette, Herb Sizor, chorus act; Singing Hill (Rep.).

Combo of a Bowes stage unit with Gene Lutz film is a winner. The Tower this week, and house is seeing big numbers. Paid than was garnered last week by the Ted Lutz film. The act is a series of sketches, with some of them being new.

Work of xylophonist Jennie and her trio. Three Tops, "upper" act. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Intervined with the amateur winning act, "The Tower" is a reasonable between the two a fairly good stage show results. Like most Bowes units, it is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

CHICAGO, CHI

Chicago, June 14. Glenn Miller, Orch. (18) with the Glenn Miller Orchestra, Paul Ray Eberly, Paul Regan, Paul Ray Eberly, Peggy O'Neill, Lina, Charles Kingsley, George Orch. (12); 'Devil Dogs' (12); 'Devil Dogs' (12).

With a picture that indicates how popular the Glenn Miller Orchestra is, the act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Miller's band does a good job of the modern jam session. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

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New Act in Niteroy

Bob and the Twins

2800 Club's Showband. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Bob and the Twins are being credited for a good share of the booming business. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

New Act in Theatre

Four Polka Dots

Young lads play the harmonic. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Act probably has possibilities, but it is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Night Club Reviews

MARDEN'S RIVIERA

(FORT LEE, N. J.) Alen Cross and Henry Durr, Terry Lawlor, Georges and Jinks, Jerry Cross, Chester Hale dancers (10), Ray Eberly, Paul Regan, Paul Ray Eberly, Peggy O'Neill, Lina, Charles Kingsley, George Orch. (12); 'Devil Dogs' (12); 'Devil Dogs' (12).

Business at Ben Marden's Jersey showplace has been especially good. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Purely and simply, if discounting the Chester Hale dancing—and good. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Terry Lawlor is working up under the handicap of a painfully infected foot, a recurrence of an old ailment. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Headlining and scoring are Cross and Jinks. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Chester Hale's line and showgirls are the routine in the act. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

GONG, BUENOS AIRES

Buenos Aires, May 27. Hens Lett, Ted McCray, Oscar Alens Quintette, Lela, Wanda, Tipico, Juan Abrilla.

Strictly class joint with emphasis on assembly, this B.A. spot has moved to the former location. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Gene Asulin with his slyly uptown is bringing plenty of quota to the Village Barn in Green. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

N. Y. Niteroy Follow-Up

Gene Asulin with his slyly uptown is bringing plenty of quota to the Village Barn in Green. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

ROSE POWER

down that Argentines—known for their high kicks elsewhere—rarely dance to a standard jazz tune. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Oscar Almen who takes over where Lela is lacking for his terrific rhythm. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

TERRACE ROOM, N. Y.

(HOTEL NEW YORKER)

Johnny Long Orch (16) With Helen Young, Bob Houston; Monte Prosser's Copacabana Revue; Estelle and Lela; The Four Aces; Almer, Victoria Cordova and Annette Wilson, Samba Sirens (6).

Closed for two months due to difficulties. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Long's crew, which made a surprising jump from the Roseland Ballroom, N. Y. to this spot, is next in line. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Estelle and Leroy handle excellently rounded and executed ballroom and semi-modern dancing. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Gene Asulin with his slyly uptown is bringing plenty of quota to the Village Barn in Green. The act is a series of sketches, with some of them being new. The act is a series of sketches, with some of them being new.

Duke Dildy band, set for summer at Rye Beach, N. Y. Playland, for general Amusement booking contract.

Indies Want to Cooperate

It's indicated that whatever militancy there was on the part of the committee campaigning for the independent ticket for the council quiesced down after the election. Monday (9) last week the group huddled, with the intention of formally filing charges against Florence Reed and all that she is reputed for having done for her name as chairman of the nominating committee in mailing out material flouting the regular ticket. However, that instead of such action it would be better to forget any differences and it was agreed by all present that they cooperate for the welfare of Equity.

One day the bomb burst, when two vice-presidents and eight councillors resigned.

FORGET LAMBERTSON

Congressman William P. Lambertson, the "barefooted" Republican, has given Equity another big hangover. Last week at this time the Kansas representative, who was once quoted as saying he liked nothing better than walking in mud without shoes, dragged Equity into the mire by accusing seven councillors of being Communists or fellow-travelers. This he never proved, but he injected himself into Equity's national election and again stirred up the talk of radicalism.

Why an outsider like Lambertson has been permitted to so disrupt Equity can perhaps best be answered by the eight councillors and two vice-presidents of the actors organization who last week resigned in protest against the alleged Communists. By not waiting for the long-delayed special election (which they so accused) to prove or disprove the charges of Communism, those who quit admitted themselves to be intolerant.

Or, if the charges of Communism against certain councillors are true, to those who resigned virtually gave the Reds carte blanche to control the administration of Equity. "This certainly does not make sense—that any group should so easily give up its strongest weapon against the alleged Communistic control. Off the council they are impatient; on it, they could have retained some voice, regardless of the number of votes against them.

There are reports that those who resigned were not motivated entirely by the election results, which placed three independent candidates on the council along with two regulars who endorsed the opposition slate. It's rumored they declined to be parties to a supposed program which aims to place new restrictions upon managers; also that they had an idea there's a move by leaders of other actor unions to gain control of Equity and Chorus Equity and their combined surplus of around \$750,000. This sounds fantastic.

Regardless of any rumored side issues and their pique at Paul Gullzell, executive secretary, because he criticized their resignations, those who quit didn't help Equity when they stood pat behind the still unproved accusations flung by Lambertson. From a state which sees practically no stage shows, and never known to have had any connection in the show business, Lambertson's knowledge of Equity must be assumed to be nil or inspired.

In view of the fact that Governmental budgetists must have had a great part in the elimination of the Federal Theatre Project, Lambertson's promise of further relief 'if Equity cleaned its house' should be taken with a large grain of salt. As a member of the House Appropriations Committee, Lambertson claimed the relief theatre was subsequently dropped 'because of Communistic activity.' This also has not been proved, but it has served as an excellent publicity springboard for the representative.

There is another important element attached to Lambertson that must be given great consideration by those who cherish democracy. This would be a perusal of some of Lambertson's orations in and outside of the House on the matter of foreign policy. Lambertson is not very far apart from the Wheelers, Lindberghs, Nyes, et al. He has also made references about a number of American agitators which smacked of Professor Goebbels' propaganda machine. Lambertson is hardly a shining example of tolerance as defined by the Constitution of the United States.

If those councillors and v.p.s who quit are truly patriotic Equities they will also put their words in Lambertson's mouth and subsequently into the public prints. They will also wait until there is a thorough hearing on the charges of Communism before flinging more mud.

Lambertson isn't going to solve Equity's problems. Only actors can do that.

MET OPERA IS AFTER EARLY TALENT PACTS

The Metropolitan Opera Co., wasting no time, has mailed contracts to the stars for the 1942 season. The Met contracts are demanding exclusive rights to the singer's services for the full period of the season which will run 16 weeks starting in November. Last year contracts were not mailed out until September due to the Met battle with the American Guild of Musical Artists and the necessity of securing \$100,000 from the public to continue the opera.

'Whitewash' Set

The Great Whitewash, one of the first straight plays due early in the new season, has been cast with the exception of one female principal. On the male end are Frank Albertson, J. C. Nugent, Teddy Hart and Kewan Wynn.

Play will take up at the Maryland, independent Baltimore house, early in September. Producers are Norman Pincus and Otto L. Freeminger, authors being Frank Gabrielson and Irvin Pincus.

HAMLIN ESTATE MAY TAKE OVER CHI GRAND

Chicago, June 17.

Question of tenancy is again up between the Hamlin Estate and the Shuberts for the Grand Opera House to current season, at least, expires July 1, with the Hamlin Estate claiming that it will take over operation of the house.

Meanwhile, house is occupied by "Arsenic Old Lady" who is now scheduled to leave the theatre June 28, unless the Shuberts renew the lease.

In actuality, the lease is signed by Sam Gerson, in turn sub-leases to the Shuberts. Grand has been the key Shubert house in town for many years.

Should the Hamlin Estate go through with its intention to operate the house, the Shuberts would be forced to current spots in Chicago, the twin Harris and Selwyn and the out-of-the-loop Shuberts.

Gerson Shubert, Sam Gerson, Shubert representative here for many years, suffered a serious heart attack last week. He is confined to his home.

ACTOR CHARITY CENTRALIZING 'PLAID'

Various actor unions and theatrical guilds are considering a proposal whereby all theatrical charities will be centered for distribution purposes. Plan would concern the money collected by these Theatrical authorities in percentages of all benefit performances and which then would be given personally to the Actors Fund, Stage Relief Fund and the several guilds and talent unions.

At this time TA has around \$25,000 to allocate to charity funds of the associations named and an equal amount due.

It is suggested that by concentrating the charity money for disbursements, duplication of payments to applicants would be curtailed or eliminated. It is understood that applicants for aid from the guilds also would be aided from the Actors Fund office versa. Proposed that the Fund handle all disbursements, or that a central committee for this purpose be named by the talent unions and charity groups.

NEW TAX MAY STYMIE U.S. SHOWS IN CANADA

A new armaments tax of 20% on theatre tickets has been imposed in Manitoba and, if other provinces follow, it may seriously hurt the industry next season to be hazardous.

Throughout Canada there is a 10% percent tax on all tickets. Current descriptions for the concert season call for an approximate \$2 top, so that tickets would cost \$140 per ticket, 30% going to the province. For legit shows the tax tick would be the same, if a hit show is used, the amount of tax deducted would naturally increase.

Shows must first figure on the difference in exchange. Canadian money now being worth 11% less than American dollars.

Ticket Brokers' Test Suit to Trial Sept. 22

Suit of some 30-odd ticket brokers against Paul Moss, Commissioner of Licenses, and Lewis J. Valentin, Police Commissioner of N. Y. City, was set for Sept. 22 trial in N. Y. Court on Monday (16) afternoon. Police Carol G. Walter. Action seeks an injunction against the enforcement of the law by the defendants prohibiting brokers from charging more than a 7% advance on theatre and sports, and tickets up to the Maryland.

The brokers question the constitutionality of the law, asserting it violates the 14th Amendment to the Constitution, and that it will put them out of business, if enforced.

8 Councillors Selected By Equity To Replace Resignees; Statement By Dullzell; Lytle Demands Probe

Fighting Ennui

Stooge in "Hellzapoppin'" Winter Garden, N. Y., sits in an ennui, and a student of the New York newspaper throughout the performance. At times he becomes agitated, and at times he listens to the ball games at matinees, having rigged up an earphone to a radio set.

Gene Meredith had the assignment until he went west to join his wife Anne Johnson, Chic's daughter.

HIGH ROYALTIES IRK STRAWFALLS

With the rural summer stock season starting to blossom and most schedules not completed, the Summer Stock Managers Assn. proposes a percentage of the income on the royalty demands, which are thought to be excessive. In such instances the members are said to have agreed that, in the event the authors want too much, all will decline to use the plays. Association heads confabbed with the Dramatists Guild and claimed that high royalties might limit the number of stock spots only one percentage of which made any profit last season. Guild is reporting will intercede with authors, if possible.

Highest royalty is being paid for "The Man Who Came to Dinner" at the Metropolitan. The play, which was asked, but a concession, was made by Sam H. Harris, who handled the show. "Gypsy" and "Sleep Here," handled by the same producer, calls for 450. Royalty varies according to the house capacity, but among the highest goes for "Charley Aunt," for which 800 percent is asked.

There seems to be differences over the charges for "The Little Foxes" and "The Male Animal" controlled by Herman Shubert. High rate of the latter, however, is not sought. It varies from \$250 to \$200. "Constantly more trouble applies to the plays of the late Sir James Barrie. Some demand \$300 per cent, and must okay the leads, according to the terms of his will. That means the stock managers must await word from London before giving his plays.

Unit of "Meet the Wife" with Mary Boland, has also stirred things up. After cancelling plans to play the sticks, she agreed to appear, for \$1,750, plus royalty of \$125 per week. A royalty of \$125 per week was demanded. Constance Roanne, who originally proposed the play, says she will stick to the MCA rate.

WINIFRED LENIHAN ALSO OFF ADVISORY BOARDS

Winifred Lenihan, in resigning from the Equity council, removed herself from the ticket code enforcement board, made up of Equity and the League of New York Theatres. She will take up the Equity committee on the Experimental Theatre.

Chi Blackstone Dicking For Billie Burke Starrer

The Blackstone Theatre, 17th St. and Irving, is dicking to reopen in September with "The Vinegar Toss" starring Billie Burke.

Slavin is now discussing deal with Henry Duffy, who will ship show in from San Francisco.

Up to the time a special Equity council meeting started Monday (16), called to select new vice-presidents and eight councillors to replace those who so abruptly resigned early in the week, there was a radical element does or could control the association, there was slight hope that at least some would withdraw their resignations but no word was received from them and new councillors were promptly elected.

After the resignations were formally accepted, 28 names were submitted to the council, who voted in eight new councillors—Ben Smith, Evelyn Varden, Walter Gilbert, Roy Felt, Ed. Donohue, Robert Ross, Robert Alexander Clark and Roy Roberts. Under the rules they will serve until the next meeting, late next May or early June, 1942. Decided that selection of two replacements was to be put over until fall.

Earlier attempts of Red Lytle, Equity president, to persuade the resigning members to reconsider were fruitless. He conceded this after the council had been formed. After the session, those who resigned replied to a statement issued by Paul Gullzell, executive secretary, that the council is controlled by Communists or Red sympathizers.

The members, were expressing anger and favoring Dullzell's declaration that it was less of an issue, they did not want the council were of the "new order," so-called by the disaffected 10. He pointed out that they did not know those "suspected" and "they cannot name them." During the pro and con discussion over this situation, it was ventured that if the resignees published those charged with being Red, they would be able to name them. Congressman William P. Lambertson named seven councillors last summer to be removed from office by the Congressional Record. Winifred Lenihan, one of those who resigned, had no authority to issue such members definitely on the far left and six were just being taken in by them.

Dullzell "Out of Line" It was stated that Dullzell's statement was not intended to be taken and tended to further incite those who figure that "where there is smoke, there is fire," despite the fact that Red charges have not been substantiated. Contended that Dullzell was over the situation, and approved Dullzell in no uncertain terms and alluded to him as just "paid employe."

Instead of being annoyed over such claims, Dullzell reminded those who criticized that he is a duly elected officer of Equity, being treasurer in addition to being the executive secretary. He without any authority adopted by the council last year, in which Lytle, Alfred Harding, who was elected to the office of president, himself were appointed as official spokesmen for the association. Lytle's resignation was not approved, Dullzell statement and indicated he did not approve of it, but there was no rupture between them over the incident.

Legal Advice

Dullzell said he was completely advised by Equity's legal department that there was no alternative but to resign. Dullzell is a member of Equity, and that he spoke not as an individual but for the association. Lytle's resignation was not approved in Council in July, 1940, during a session attended by most of those who are resigning. Dullzell is stating: "On behalf of itself and the membership, we deny emphatically that either of us ever sought membership is or ever has been dominated and controlled by Communist influence. Dullzell's resignation is as true today as when it was made. We are standing by it."

Lytle is a "Red" who people say that the "new order" controls 17 members of the council, if it is true, it is a "Red" organization, but, how better could this be done than by the council stepping out and handing it over to the "Reds" who I do not think these charges are true through consideration and more through consideration.

(Continued on page 51)

Jean Muir, Meisner Super-Headaches Left by Walter Armitage at Suffern

Nyack, June 17. Regime of Walter Armitage, which flopped in mid-season last summer...

Added Summer Theatres (Equity Bonded Only)

Montevale Playhouse, Indian Neck, Branford, Conn.—Lydia B. Fair Park Casino, Dallas, Texas—J. J. Shubert, 234 W. 44th st., N.Y.C.—Iroquois theatre, Louisville, Ky.—J. J. Shubert, 234 W. 44th st., N.Y.C.—Saville Playhouse, Sayville, L.I.—Leslie McLeod and Edith Gordon, 229 W. 42d st., N.Y.C.—717-9751.

Play Out of Town Whistling for a Wind

Paadena, June 10. Drama in two acts by DeWitt Bodens, entitled "Whistling for a Wind," was produced by the Pasadena Playhouse...

Action takes place on a single set, the crypt of a great cathedral in London. Here a score of people are crowded for refuge in an air raid.

Characters include a British officer, a young American woman who gives her life to save that of an orphan lad when the bomb strikes;

There is tragedy and comedy in Bodens' play. There is no propaganda, although the seriousness of living intently in bomb environment is being something of an argument.

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Chance of the spot making money this year appear slim. The subscription list is a third of what it was in Curtler's last year...

Elitch Starts 50th Year with 'Skylark' Denver, June 17. Elitch summer theatre used only its Golden Jubilee year to sell out for the opener last night (18) and...

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Garden Pier's Policy

Garden Pier theatre, Atlantic City, will open June 30 on a rotary stock basis, first booking for the Mountain State Broadway theatre.

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St. Louis Operetta Series

St. Louis, June 17. Victor Herbert's "Sweethearts" presented four times before in the Municipal theatre.

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Chapel Opera June 28

Guilford, Conn., June 17. Chapel Playhouse here untrials June 28 for 10-week season.

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Lakewood, Me., First in E. Strawhat Open; Others in End-of-June Rush

With the opening of the Lakewood Theatre in Skowhegan, Me., May 31...

With the opening of the Lakewood Theatre in Skowhegan, Me., May 31, the season set underway in New England.

Also on June 30, the Cape Playhouse, Dennis, Mass., starts operating with George Washington Slight here, starring Charles Butterworth.

Also on June 30, the Keene (N.H.) Summer Theatre, directed by Freeman Hammond, and the Plymouth Players in Haverhill, Mass., will also bow in June 30.

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Village Green

Comedy in three acts (four scenes) by Carl Alward, starring by Felix Jacobson, playing A. A. Ostrander in the Broadway June 14th.

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Berkshire's Name Sked

Stockbridge, Mass., June 17. Ruth Chatterton, in "Tomorrow and Tomorrow," will open her summer season at the Berkshire Playhouse June 30.

Also on June 30, the Keene (N.H.) Summer Theatre, directed by Freeman Hammond, and the Plymouth Players in Haverhill, Mass., will also bow in June 30.

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Leavey, July 14, Fay Wray in "One Sunday Afternoon," July 21, Anna May Wong in "The Sign of the Cross," July 28, Estelle Winwood, Fritzi Schenz and Zoeyia Talmas in "Ladies First."

Included in the resident company here are: Daley Abertson, Madeleine Clavin, Lowell Gilmore, William Swetland, Owen Martin, Roger Converse, William E. Stratton, Edna Derwent and Grace Birkbeck.

Swing Offbeats

Westport, Conn., June 17. Swing version of Offenbach's "The Belle Helene," with Anne Brown and all-seneca cast, follows "Tulliah Bankhead" in "Cavalcade."

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Wm. Dorbin Bettes

Brookline, N. Y., June 17. William Dorbin, actor, who suffered a heart attack after appearing in "Bright Star" in the Broadway June 14th.

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Siring at Sundown

Hollywood, June 17. Gene Tierney was picked for the first role in "Sundown," the tale of a woman who is seduced by Walter Wanger for release by United Artists.

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Equity's \$551,720 In Assets

Financial report on Equity showed that its assets total \$551,720, assets being \$275,000 on hand and \$276,720 in investments and it has been suggested that \$100,000 should be reserved to advantage than remaining on deposit. Income for the year was \$29,066, an increase of over \$5,000 from the net of the previous year. Actually it was around \$27,000, but \$4,000 was written off. Letter sum included an advance to the Associated Actors and Artists of America for its benefit show. That flopped and the loan is uncollectible.

Equity's 8 New Councillors

(Continued from page 4)

ation of the situation would have convinced them that their resignations were so unnecessary as they were unwise.

Position of Alan Hewitt, who was not named on the regular ticket and as such had no position on the slate and was one of three indices to be elected, was touched upon. Dullizell counted his resignation as a result of lack of Communist affiliations, absence of any proof to the contrary of his denial of the Lamberston charges, indicated he had been discriminated against by the congress. He had had no definite allegations against Hewitt.

Dullizell also stated that the second ballot had been a complete confirmation that the straight vote for the regular ticket was about two to one more than the straight vote for the Indies, which would prove they have not been repudiated" as they believe. We concluded with the following:

"Again I repeat that there has not been in all the years I have known to me any indication that the action of any decision it has made has been influenced by Communist or any other sinister motives. The fact that it is now so controlled is entirely unfounded and untenable. It was a result of the circumstances of each of these circumstances might well, I believe, lead them to accept the urgent and final vote as indicated by the executive council and of President Bert Lyttel that they reconsider and withdraw their resignations."

Unlooked for were the resignations of councillors who have previously strongly supported Dullizell. When the year of 1940, after recovering from illness, Dullizell handed in his resignation. The others were asked him to remain. The situation now is ironic, because he is not in a position to walk out nor is Lyttel who first refused to take the presidency and then was prevailed upon to accept.

Basis of Trouble

Present trouble may have started about six years ago with the group that was identified as the "Action Group." At that time seven were nominated on the regular ticket for council with the exception of one. Present president Frank Gilmore. There were changes made in Equity's policy that eventually led to a split with the managers not to adopt further regulations. What the deal was that placed the management in the council was never clarified.

However, out of that bunch of councillors, only Philip Loeb, who was elected, and George W. Heller. Heller is now an officer in the American Federation of Music Artists. He has since become acting president of Equity, but withdrew after about five months. He refused to have anything to do with the work done up by radicals and upon realization of "party front" nature of a Communist expression he left the post.

Reported that Loeb, who is in Chicago with "My Sister Helen," was elected to be quoted on the election and the aftermath. Also that he is more insistent than ever on the fact that he is a "free traveler" of the Reds be heard before an impartial board, whether "Wagner" or not. The newest demand for an investigation or not. Loeb reiterates his position and is refusing being dragged into the present uproar.

Lyttel's Pies for Probe

Friday (13) Lyttel sent another telegraphic appeal to Washington for an investigation of the Communist in Equity. His message was addressed to Congressman Joseph Starns, acting chairman of the Dies Committee. Starns may head the committee. Representative Martin Dies is campaigning in Texas for the Senate. The message:

"The statement of those who resigned from Equity has been urging our

reconsidering the resignations which we delivered to the 'Council of Equity,' but today he, himself, acknowledged that his request of us had been negated by Mr. Paul Dullizell's statement to the papers this morning. This statement was issued without authorization of our organization by Mr. Lyttel, our president. It was made by a paid employee whose salary depends on his appointment by the council, which we continue to maintain is communally controlled. This statement contains several misstatements of fact. Mr. Dullizell has also been charged with his charges against Mr. Hewitt. Mr. Lamberston has reiterated them in a letter mentioned in the press. Mr. Dullizell, in private conversations with each and every one of us, has repeatedly expressed the conviction that the Communists were gaining control of Equity. We will

Denies AFRA Angle

Editor, VARIETY:

In last week's VARIETY it was stated that my purpose in supporting the independents was to bring to the attention of the AFRA council and sure AFRA control of television. As a member of AFA, AFRA and also a member of the AFRA council, I am sure that each of these unions solely in relation to the membership, I wish state that there is no connection in the independent campaign did the question of television or other matters. I am a full-fledged jurisdictional matters arise.

My only purpose in supporting the independents was to bring to the attention of the democratic process to work. I feel I have an obligation to support the independent in Equity affairs as any other member working at present in the theatre. This is for the record, and anything you can do to correct it will be deeply appreciated.

Paul Stewart.

not reconsider our resignations unless we are given a hearing by the AFRA council. We are waiting for their resignations pending a Government investigation.

Election Close

Figures of the tellers who counted the votes prove that it was a close election. Equity has around 2,000 (although the annual report places the total at 2,578) paid-up members and nearly 1,000 cast their ballots. The election was held on June 15. The number of votes not cast was 1,000. The number of votes cast was 1,000. The number of votes cast was 1,000. The number of votes cast was 1,000.

There were 11 people to be elected but some members voted for all 11. The ballots were voided. One failed to sign the envelopes containing the ballots. Number of votes cast was 1,000. Number of votes cast was 1,000. Number of votes cast was 1,000. Number of votes cast was 1,000.

'CHOC. SOLDIER' BIG \$30,000 IN FRISCO

San Francisco, June 17. Considerable confusion—and also cash—around the Curran Theatre here, where John Charles Thomas, in "Chocolate Soldier," has grossed for the estimated \$30,000. Confusion occurred opening night, when some of the seats in the rear were sold. Seats had been sold and were turned around.

Also considerable dissension over change in original plans to hold the show two weeks, first in the L. A. Civic Opera series strong enough to hold the show for a second week. The show was cancelled. A one-night stand in Sacramento and Fresno with the Seattle and Portland dates to follow. House therefore dark, waiting for "Cabin in Sky," due in Monday (23).

CHILMOSTLY OK; 'HELZ' \$20,000

Chicago, June 17. Three of the show in San Francisco held up well last week, while "Accent on Youth" remains in the red. The remarkable thing about this show is that, despite the poor start, it is continuing in the red.

"Hellsopoplin" after five weeks in complete dissolution, is still in the loop Erlanger Sunday at 151 seats compared with last Friday's better audience pace.

Estimates for Last Week

"Accent on Youth" Series (2d week) (1,000; \$1,85). Low top gross of \$20,000. Moved to the top much of a struggle at \$5,000. Hoping for word-of-mouth to perk things.

"Arsene and Old Lace" (10th week) (2,200; \$2,75). Showed signs of improvement. Moved to the top with a profit of \$12,300.

"Hellsopoplin" Auditorium (5th week) (1,000; \$1,85). Under capacity by a wide margin, but still in the red. Estimated gross for the Erlanger (1,400 seats) Sunday (15) week (1,000; \$2,75). Running along smoothly and no indication of quitting. \$5,500.

'People' Fair \$11,000, Ends Hub Legit Season

Legit season Boston, June 17. "People" closed down on Saturday (14) when "Meet the People" closed after a three-week run. Final stanza rang up fair estimated \$11,000, not enough to make a fourth run tempting.

Current Show News

(June 18-28)

"Accent on Youth"—Selwyn, Chicago (18-21).
 "Arsene and Old Lace" (Erich von Stroheim)—Laura Hope Crews—Grand, Chicago (18-28).
 "Cabin in the Sky" (Ethel Waters)—Philharmonic aud., Los Angeles (18-28).
 "Alcazar," San Francisco (18-28).
 "Chocolate Soldier" (John Charles Thomas)—Curran, San Francisco (18-28).
 "Hellsopoplin"—Aud., Chicago (18-28).
 "Ladies in Retirement" (Florence Reed)—Theatre Brooklyne, New York (18-28).
 "Life with Father" (Dorothy Gish)—Cass, Detroit (18-28).
 "Meet the People" (Phillips Holmes)—Windsor, Bronx, N. Y. (24-1).
 "Mr. and Mrs. North"—Windsor, Bronx, N. Y. (18-21); Flatbush, Brooklyn (24-1).
 "My Sister Helen"—Harris, Chicago (18-28).
 "No Time for Comedy" (Francis Lederer)—Alcazar, San Francisco (18-28).
 "Vinegar Tree" (Billie Burke, Paul Cavanagh)—Alcazar, San Francisco (18-28).
 "The Sign of the Cross"—New Britain, Conn. (18-21).

Name Concert Dates

(June 18-28)

Ballet Russe de Monte Carlo—Stadium, N. Y. (28-27).
 Paul Robeson—(Hugh Ross conducting), Stadium, N. Y. (2).
 Artur Schnabel—(Artur Schnabel conducting), Stadium, N. Y. (19).
 The Four Seasons—(Franco Schimmenti conducting), Stadium, N. Y. (2).
 Templeton (Alexander Hillsberg conducting), with Philadelphia Orchestra, Robin Hood Dell, Philadelphia (24).

B'way List Shorter, But Biz Better; 'Claudia,' 'Eileen,' 11 1/2 G, 'Son' Slips

Rain helped Broadway legit last week. List is growing smaller steadily, but most of better shows are drawing quite satisfactory grosses.

Estimates for Last Week

Key: C (Comedy), D (Drama), R (Musical), M (Musical), F (Farce), O (Opera).

"Arsene and Old Lace" Fulton (2d week) (2,200; \$2,75). Gross is being largely underproduced. Estimated gross for the week is close to \$15,500. Right (18th week) (1,100; \$2,00). Not worrying about this comedy playing through summer and imported noted last week with the gross claimed around \$11,500; certainly in the money.

"Hellsopoplin" Winter Garden (14th week) (R-1,871; \$3,30). One of three musicals remaining on the list; continues to pile up profits, although it has been in the red since winter gross levels; around \$17,000.
 "Johnny Belinda" Longacre. Final and final week; dropped under \$4,000; was not rated among summer plays.

'CABIN' HEFTY \$32,000 IN L.A., FESTIVAL 125G

Los Angeles, June 17. Heavy demand for tickets to "Cabin in the Sky," with Ethel Waters and Ethel Waters, O. Y. cast, prompted promoters of spring operetta festival at Philharmonic to hold the show for a second week.

"Cabin" garnered approximately \$125,000.

'Father,' \$21,000, Big In 2d Detroit Week

Continuing its Detroit pace here, "Life with Father" sold out last week by a record-breaking first week. The show is now in the red at the \$275 top. "Father" registered more than \$21,000 on the heels of \$21,000. The show is now in the red at the \$275 top.

Apparently like the Dorothy Gish-Louis Calhern troupe will round out an eight-week stay at the house.

'Blossom' Preems Dallas Alfresco Operetta Season

Dallas, June 17.

Off to a good start with the premiere Thursday night (12), the 10-week season of operetta under the stars' being presented at Fair Park Casino promises to be a financial success. The production is by G. J. Shubert and the State Fair of Texas Assn.

With dignitaries of the southwest present, the series opened with "Blossom" Time" Cast included Beverly Marshall, Frank Formady, Donald Gage, Barbara Scully, Mildred Allen, Marjorie Hutchinson, Martha Brooks, Wilbert Bruns, Leonard Ceely, Nils Landine, Alex Alexander, Alfredo Seltzer, Marjorie Douglas, and George Mason, Jr. Harry K. Morton, Eleanor Lutz, Walter Johnson, Melisse Mason, and Virginia Boris and Camille Cattelle.

Treasurers' Officers

At the annual meeting of the Treasurers & Ticket Sellers Union in Reno, Nev. last week, the newly elected president, George Ashby, vice-president, James J. Murphy, secretary, and treasurer, George S. Man, business agent. Named as trustees: Hugh McGauley, Frank Deane and Earl Bowman.

There was a contest over candidates to the executive council, but it was won by the incumbent, Arthur Wright, Herman Lewin, Jerome Flynn, Harry Nelmes, Charles Murphy and Frank Gage.

'Vinegar' 5 1/2 G in S. F.

San Francisco, June 17. Fourth week of "Vinegar Tree," with Billie Burke, at Henry Duff's Theatre, has not yet a single ticket sold. \$5,500.

Comedy rides fifth stanza, however, until "Citizen Kane" vacates the El Capitol in Los Angeles, "Vinegar Tree" moving in a day later, June 26.

stability; should do well on road strength of Broadway stay.

"Lady in the Dark," Alvin (M-1,375; \$4,400). Gross is being largely underproduced. Estimated gross for the week is close to \$15,500. Right (18th week) (1,100; \$2,00). Not worrying about this comedy playing through summer and imported noted last week with the gross claimed around \$11,500; certainly in the money.

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 "Johnny Belinda" Longacre. Final and final week; dropped under \$4,000; was not rated among summer plays.

"My Sister Helen," Biltmore (25th week) (M-1,104; \$3,35). Among the season's winners, with grosses holding to good percentage. Ticket sale extends for several weeks, but attendance 'rain dropped'; estimated under \$5,500.

"Pal Joey," Biltmore (25th week) (M-1,104; \$3,35). Among the surviving musicals that should benefit with the summer season. "Lady in the Dark," over \$10,000, which provides fine fare.

"Panna Battle," 46th St. (33rd week) (M-1,347; \$4,40). Vied with "Lady" for leadership until lately and figures to jump with that show out of the picture. Running, around \$25,000; big Monday.

"Separate Rooms" Plymouth (42d week) (M-1,097; \$3,35). Among the making some profit lately, though good off steadily of late under \$4,500, but management still claims it will stick.

"Stimule," Golden, Yanked Saturday; played two weeks less one night during the week, better \$100 last week.

"The Beautiful People," Lyceum (8th week) (C-1,004; \$3,30). Because it can operate as small money may stick, but gross has been slipping. Estimated around \$4,000.

"The Girl in Green" (29th week) (D-1,162; \$3,30). Import is still attracting satisfactory business, and the show is now in the red at the \$275 top. "Father" registered more than \$21,000 on the heels of \$21,000. The show is now in the red at the \$275 top.

"Wreck of the Titan," 11th St. (11th week) (D-1,214; \$1,300). Commands wide appeal among straight plays and is aimed for a second season, barely affected to date; approximately \$19,000.

Bevival

"The Doctor" (Dilemma), Shubert (C-1,402; \$3,30). Final and 15th week; excellent acceptance; topped straight play gross time; last week dipped under \$12,000.



EILEEN

CO-STARING IN REPERT PRODUCTION "HELLZA-POPPIN" ON TOUR

Mrs. W. M. KENT
1776 B'way, New York

HARRIS

AND SYLVIA
STARRING IN
"HELLZA-POPPIN" ON TOUR

HELLZA-POPPIN

CO-STARING IN REPERT PRODUCTION "HELLZA-POPPIN" ON TOUR

Mrs. W. M. KENT
1776 B'way, New York

NOW—MILLION DOLLAR FIBER
690. WHITT'S CANDLARS
LAWRENCE W. R. NEW YORK
1776 Broadway New York

Broadway

Benjamin Sonnenberg summering at Woodport off to Nantucket with offspring.
Wes Walker will summer at Walden, B. I.
Eddie Hyman in the northwest on a theatre matters.

Harry Harris leaves for Hollywood the end of the month.
Grad Sears back from the Coast after radio conference.

Allen St. John Brown in Miami contacting the Max Fleischer studio.
MacLaughlin, who is in the women's Eastern Golf Championship last week.

Alice Moss, recently a mother, at home after several travel trips.
Cole Porter's score of 'Let's Face It' is a solo chorus; he not collaborating with Irving Caesar.

Harold M. Goldblatt, theatrical attorney, undergoes operation today at Wackerham hospital.
(William H. Schneider, art director of Donnell & Coe, elected a year ago of the agency.

'Rise and Fall of Joe Schenk's career' current Broadway mag, authored by Alan Hryn.

Harry Kaufman back from Saratoga for his recent vacation, which was only 25 pounds lighter.

Roy Disney and Gunther Leasing in on the Coast.
Adolphe Goss, longtime Paramount producer in France, reports on his concentration camp in France.

Clarence Brown, who has adopted an 18-month-old boy, named Michael.
Marguerite Blichard, former her manager, Anna Sosenko, at the home.

Alma Grebler stage entertainment for the National Retail Grocers Convention in Chicago, June 20-21.

Saul Abraham, back with 'Native Son' (St. James), also again manager of 'The Wood' N. Y. place.
The Dr. Peter Lindstroms (Ginger and Fred) visiting Hollywood.

Robert A. Becker resigning as Maurice Evans' secretary today July 15, returning to the Coast.
James Thurber and Kurt Weill summering in Maryland, to collaborate on a musical comedy for fall.

A. Sindinger, March of Time adjacency chief, remodeling an old residence near Park Junction, N. Y.

John Van Donner, fashion director of 20th-Fox Movietones, planned to Hollywood on her first visit to the Coast in an annual check-up.

Hollywood agent Al Kingston in town on an annual check-up.
Morrison back to the Coast after dining.

Bob Hope dies in this morning (Wed.) for the Louis-Conn gift to his wife, hostess for eight years to the battle.

Leslie Stoller, William Morris agency's office manager, cuts wedding cake with Gertrude Jampal, an art teacher, on July 1.

Testimonial dinner to Solly Anspach, business manager of Local No. 1, St. Michaels, held last night (Tues.) at the Astor at 4 p.m.

Bill Wolfe from the Rainbow Room may go into the new 'Ziegfeld Follies' which Les Stoller and Harry Kaufman is talking of producing.

Leslie Lewis, big-time Broadway Cox) back to Miami after his wedding here last week; he's with the CBS affiliate in Miami.
Charlie Casey, veteran indie exhibitor, sold out his Miami place, settled down in Florida and is dabbling in real estate down there.

Clifford C. Fischers have been in New York, but they are in Hollywood-bound via South America, having sailed for Miami.
Mark has several deals on her, "Little Slave" (Doris) and "The Girl" by Maritta M. Wolf (Random House), is being dramatized by Oscar Davis for production by George Smith, western division manager of the Columbia Pictures studio following a tough case of pneumonia; going away for two weeks.

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Hollywood

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Atlantic City

Eddie Cantor tops Music Hall Saturday and Sunday (20-21) at the Casino.

Frank Flore's Palm Room returns to Atlantic City Saturday (14) in Paramount.

Patricia Collins, singing organist, returns to Atlantic City Saturday (14) in Paramount.

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Paris

Jean Borotra in Tunis.

Author Paul Reboux back in Paris.

Author Paul Reboux back in Paris.

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Pittsburgh

Francis X. Fay went directly from New York to Pittsburgh.

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Buenos Aires

Louis Goldstein, Columbia manager, is in Buenos Aires.

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Honolulu

Judy Canova clipped in from California.

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Judy Canova clipped in from California.

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Judy Canova clipped in from California.

Judy Canova clipped in from California.

Stroudsburg, Pa.

Phil Cook hunted Lillian Bloomston Time via WABC.

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OBITUARIES

BENE FRANKLIN
Irene Franklin, 37, died June 16 at the Englewood, N. J. hospital after being stricken the previous day with a cerebral hemorrhage. She had been living at the Actors Fund Home in the Jersey town last 10 days.

Further details in the vaudeville section.

HENRY M. TENNENT
Henry M. Tennent, 62, theatrical manager and producer who as head of H. M. Tennent Productions produced many London successes since the firm's formation in 1936, died June 10 at a London nursing institution.

Tennent's stature in London theatrical circles was comparable to that of Shubert in New York. According to John C. Wilson, general manager and producer for Noel Coward, the Tennent organization was "without question the most important firm in London which always had four or five plays running at a time."

Wilson also declared that although he had no personal acquaintance with any official since they would often have a financial share in the production, he would carry on a friendly business association. He further stated that during his time in America he had been producing the new Coward play, "The Blithe Spirit" which was slated to open Monday (18).

Manager of the famous Drury Lane theatre from 1916 to 1939, Tennent produced Oxford University plays later entered the employ of John Broadwood & Sons, producing several whom he remained until 1914. After the World War he became associated with the London booking manager. In 1931, he joined Howard & Wyndham Ltd., producing "The Sign of the Cross" and "Retreat from Folly," "George and Margaret" in 1937, "Spring Meeting" in 1938, "October" in 1939 and "The Importance of Being Earnest" in 1939. Tennent also handled the negotiation of the Octopus and the rights to the Emlyn Williams play, "The Light of Heaven," which premiered at the Apollo, London, last March.

HERSHELL MAYALL
Hershell Mayall, 76, vet actor of the silent screen and later active as a character actor in Detroit radio, died of a cerebral hemorrhage June 14 at St. Mary's hospital, Detroit.

A screen contemporary of Dustin and William Farnum, Theda Bara, William S. Hart, Mayall was born in Kentucky and while attending school in Minneapolis took part in an amateur tooth road show. It was the latter's advice that continued him in the theatre. He played stock leads in Cincinnati and San Francisco. He once boasted he carried a playing Frisco if the earthquake hadn't torn the rope in which he played stock for six straight years. His first Broadway appearance was in "The Garden of Allah."

Thomas Ince took him into film stock work at the earthquake and Mayall performed with most of the early stars, being Miss Bara's lead actor in a scene from "The Sign of the Cross" which he played the king in Eric's "Civilization." He was starred in several pictures during the 1920's.

Mayall was employed for the last 10 years at WXYZ, Detroit, usually as a character, lampooning his father, in such melodramas as "The Lone Ranger" and "The Green Hornet" became a regular feature on his program three times during the performance of "The Lone Ranger," but declining to do it after the success.

He leaves a widow and one son.

WILLIAM (BILLY) WAITE
William (Billy) Waite, 60, retired circus clown who appeared with the Ringling Circus, famous clown of the Australian Vaudeville theatre, finally died June 12 after a long illness at the Michigan State Hospital, Brentwood, L. I.

Waite, who retired shortly after the first six years of his career at the Garden in New York several years ago, was born in Queensland, Australia. He was a member of the stock whip manipulator and was said to have whistled one which was 67 notes long. He had been Detroit world's record for riding on a fat

side, he also was noted as a boomer-thrower.

He leaves his widow, Marian, also a performer, and three children. They were married for 37 years. Funeral services were held at 10 o'clock at the funeral home and burial under auspices of the N.Y. lodge in Kensico Cemetery, N.Y.

DARWIN W. TRUSS
Darwin W. Truss, 62, retired printing executive and one-time theatrical producer and manager, was also said to have managed the Primrose and West minstrels at one time. In recent years, however, he was not connected with the theatre and devoted much time to managing two printing firms until he retired about a year and a half months ago. Miss Truss was 35 years ago Truss was active as a producer of light operas and musical comedies and was also said to have managed the Primrose and West minstrels at one time. In recent years, however, he was not connected with the theatre and devoted much time to managing two printing firms until he retired about a year and a half months ago. Miss Truss was 35 years ago Truss was active as a producer of light operas and musical comedies and was also said to have managed the Primrose and West minstrels at one time. In recent years, however, he was not connected with the theatre and devoted much time to managing two printing firms until he retired about a year and a half months ago.

EMMA VAN ALSTYNE LANNING
Mrs. Emma Van Alstynne Lanning, known on the radio as "Van Carry on a friendly business association. He further stated that during his time in America he had been producing the new Coward play, "The Blithe Spirit" which was slated to open Monday (18).

She was a performer on WLS, Chicago, for the past five years and had been the producer of her broadcasts in all that time.

GEORGE EBEY
George Ebeby, 67, actor and proprietor of the Fulton legk in Oakland, Cal., and formerly connected with the Fulton legk, died at 68 on June 5 following a long illness.

Once rated a millionaire, Ebeby lost his money through a business depression. He was on relief when stricken. Survived by widow and four children, he was married to his marriage, Gene Ebeby, who was associated with him at the Fulton, died a year ago.

JOSE GARCIA LAYVEDA
Jose Garcia Layveda, a newspaper at STATION XEWS, Mexico City, for the Cervetera Central, one of Mexico's leading newspapers which he was publicity director, died in the Spanish Hospital, Mexico City, June 14, after a long illness. He was born in the Spanish Cemetery, Mexico City.

AXEL JOHNNY JOHNSON
Axel Johnny Johnson, who played vaudeville circuits, died at 68 on June 14, after a long illness. He was a member of the Mantell's Mankins troupe, died at his home in Everett, Wash., June 6.

Johnson's last vaude appearance was with Mantell's Mankins in New York in 1929. Since then he had lived with his mother, who survives with her husband, in Chicago. He was a professional actor, did considerable work building manikins and puppets for various acts.

FANNIE SUTTON
Fannie Sutton, vaudeville, died June 11 in Santa Monica, Cal. She toured the circuits in the West with the cast of "The Sign of the Cross" which she played later with her husband, known on the stage as "Uncle Dick," with whom she toured for many years in the West in Los Angeles at the turn of the century.

GEORGE NEWTON
George Newton, 74, oldtime legit comedian, died June 12 at 74. For many years he was manager of the Cort, now demolished, in Chicago.

WILBUR E. DAVISON
Wilbur E. Davison, 74, member of the West Coast circuit for many years, and also for years with the Meistersingers, died June 12 in West New York, N. Y.

Jack D. Fink, 31, father of Lou Clayton, was a member of the cast of "Lady in the Dark," died of a stomach ailment June 12 at the Mt. Sinai Hospital, N. Y. He had been deputy Commissioner of Public Works of

the City of Long Beach, L. J. Also left his widow, Leona, a daughter, mother, and another daughter. The actor is not to be confused with the Clayton, Jackson and Durante team.

Carl Beals, 55, charter member of the Detroit LATSE, died June 9 at Middleburg Heights, Ohio, after a long illness. He leaves his son, Carl W., also a Detroit projectionist.

F. Wells Day, 51, screen advertising representative of Interlarte Theatre, Inc., and Dayville for the past six years, died June 11 at his home in Texas State hotel, Houston, Friday (13).

Father, 94, of William Horley, president of Hollywood Film Enterprises, and David Kelly, chief of Hollywood's earliest film productions, died June 15 in Los Angeles.

H. J. Wingart, 74, father of Earl W. Wingart, with 20th-Fox Wichita office publicity staff, died of a heart ailment June 17, at his home in Wichita, Kas.

Father of Moe Silver, upstate N. Y. zone manager at Albany for Warner theaters, died at his home in Chelsea, Mass., last night.

Mrs. Mildred Moran, 64, mother of the late actor, died June 11 at St. Mary's hospital, Detroit.

Mrs. Emma Sadler, 68, former vaudeville performer, died June 14 in Los Angeles.

WB Wants Army

Continued from page 2
ducers and virtually all film companies, while the big agencies, had reps down here during the run. Nevertheless, it appears unlikely that the army will be a part of the Training Film Production Laboratory, to which most of the boys who stage it are assigned, gave their complete cooperation, but feel that it has interfered with the job the unit has to perform. Members, accordingly, were shipped out on various location jobs yesterday.

White War Dept. officials in Washington are questioning whether a great Army public relations staff to have the show on Broadway, who stage it are assigned, gave their complete cooperation, but feel that it has interfered with the job the unit has to perform. Members, accordingly, were shipped out on various location jobs yesterday.

Others who used TWA, the route most of the lake who were among the stars, were Sprock Skouros, Fox exec and Greek War Relief leader, and Abbott and Costello, who blew in for a personal appearance at the Criterion theater's opening of their "In Navy." The comedy combine centered right down to town again in time to L.A. it for a Broadway tryout.

Tallah Bankhead United Aired in from Reno, where she said she had a six-week engagement with a husband; and Nancy Carroll teamed in from the end of the line for the new Manhattan's Midnight Merangies.

Mrs. Hills in On Clapper - Another Clapper trip was this left-to-right of the calendar was Mrs. Lawrence Hills, wife of the late actor, in Paris Heretofore, Paris 12 days ago. Declining to discuss her experiences because of serious illness, she was in the Pan-American base by Mrs. Ogden Reid, wife of the editor of "The New York Herald Tribune."

Marvin McCord Lewis, a Reader's Digest writer, left aboard the "Yankee Clipper" for a six-week tour at London. After leaving the Lane of the Broad A, Marvin wants to go on the case of the "Yankee Clipper." On the same flying boat, Sidney A. Bellaco, representative of the "Yankee Clipper" was going by his Sussex home after a circulation campaign here.

Lil Harvey Clippers and Owners

Continued from page 2

ankle bone while trying to navigate the ship through a following sea. He fell in a blue jacket and a blue and yellow plaid skirt that in no way detracted from her color. Lil Harvey termed her mishap "just a foolish step."

Completing a picture in Paris, just as the French army left the names of the city's streets, Miss Harvey fled to Antwerp, where she says she was taken to the German invasion. Describing food conditions in the area as "terrible," she says she was taken to a German, French and English-speaking pictures in Yankeeeland's Holywood before the return to Europe, telling of the indiscriminate machine-gunning and bombing of homes in the French Riviera sector by Italian aviators from "time to time" and apparently without rhyme or reason. She and a half month ago, Miss Harvey moved to the home of a relative in Soleure, Switzerland, where she is recovering from a bad cold, head aches and blackouts were conducted. It was during one of these blackouts that she slipped on the stairway and broke her ankle.

An agent will be probing the details of the accident. Miss Harvey rests her ankle at the Waldorf-Astoria. It was only after she had been in the hospital for a national Marine Terminal that newsmen were told that the rather athletic and athletic Miss Harvey sported was actually the jeweler's sports. A star sapphirine ring and two diamonds were found in the Miss Harvey's possessions.

RKO Exes In
Another Thursday film event was the arrival at the landport of a group of RKO exes by TWA Strato-liner from Los Angeles. They attend a convention at the Waldorf this week. The group included the former publicity director, H. R. McDonough, vice-president, Reginald Armour, assistant to the president, Leonard Goldman and Rodney Pantages.

Friday the 13th bore little fruit for the RKO group. The group, however, flew in the TWA way from L. A. and Virginia Hill rode down to Hollywood. The group included the former publicity director, H. R. McDonough, vice-president, Reginald Armour, assistant to the president, Leonard Goldman and Rodney Pantages.

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John Hemmer, Dally News pit snapper, was shot by the aircraft photographer. The suggestions merely outline the procedure that has been in effect for the past few days. The procedure of the clipper movements but were actually papered to make certain that the clipper movements and the customs' regulations will have some check with which to navigate. The clipper movements but were actually papered to make certain that the clipper movements and the customs' regulations will have some check with which to navigate.

MARRIAGES

Noel Carter to Gray Gordon, in Laurelton, L. I., June 9. Bride is the burly and literary spouse; he's the burly and literary spouse.

Dorothy Rice to Frank Barnes, in Schenectady, N. Y., May 30. She's the burly and literary spouse; he's the burly and literary spouse.

Gene Alessandrini to Leroy Miller, in Hope, June 13. Groom is member of the Film Council of America; bride is a General Electric Co. engineer.

Henry Klinger to Clyde Hoyt, June 14. Groom is a former engineer at KSCJ, Sioux City, Iowa; bride is a former engineer at RCA.

Whitley to Charles Nordhoff, in Reno, Nev., June 12. He's the film writer and novelist.

Alroy King to Sydney De Azevedo, in New York, June 17. She's of King Sisters, singing quartet; groom is non-pro.

BIRTHS

Mr. and Mrs. W. H. Fawcett, Jr., daughter, Mrs. C. E. Stockman, daughter, in New York, June 16. Mr. and Mrs. E. A. Stockman, daughter, in New York, June 17. Mr. and Mrs. W. H. Fawcett, Jr., daughter, Mrs. C. E. Stockman, daughter, in New York, June 16. Mr. and Mrs. E. A. Stockman, daughter, in New York, June 17.

Mr. and Mrs. Philip Engler, daughter, June 12, in Brooklyn. Father is a member of the National Screen Actors Guild.

GLAMOUR
 VERSATILITY
 PERSONALITY
 CHARM
 COMEDY

STYLE

SHOWMANSHIP

BOX OFFICE

Hildegarde

WHETHER IT BE THEATRES, CAFES, RECORDS OR RADIO—THE
 DYNAMIC PERSONALITY OF HILDEGARDE IS BOXOFFICE!

... "NO. 1 FEMME DRAW" SAID 'VARIETY'

Just Completed Successful Season at SAVOY PLAZA, New York, Beginning New Season Oct. 17
 Opening Camellia House, Drake Hotel, Chicago June 17—4 week limited engagement

Exclusive BECCA Recording Artist

Personal Manager—ANNA SOSENKO
 Exc. Personal Representative JACK BERTELL
 MCA Artists, Ltd.



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PRICE 25 CENTS

GRACIE FIELD 'GATED'

British and FBI Suspect Star

Arrival in America of a European film star of mixed nationality recently is being viewed with a great deal of suspicion by British agents here. It is understood that the Federal Bureau of Investigation has also been informed.

Although claiming to be friendly to the British cause, star's actions are suspected by English officials because of long residence in Germany and widely-known and close friendships with high Nazis. They are also suspicious of the quantity of money and jewelry and the ability, even after the fall of France, to flit about Europe with virtually no delays. Ease with which the star got out of France to Lisbon to grab a clipper also has the English wondering.

Berlin's Show Biz Blackout Detailed By U. S. Actor, Barbettes; Rome NSG Also

Barbette, American vaudevilian, leaving Berlin a couple months ago, asked Edouard Dubuis, managing director of the Scala, Germany's top variety house: "What do you most want me to send you when I get back to America?"

"Fred Astaire and Eleanor Powell," Dubuis replied.

That's typical of the more intelligent of present-day Germans, Barbette, long a standard turn in America and Europe with his trapeze work in fenne garb, told Vantage on his arrival in New York last week from 15 months in Berlin and Rome. Although he performed in Italy, Barbette's activity in Germany was as production assistant to Dubuis for five months.

Long accustomed to playing a preponderance of foreign acts, head man of the Scala is discouraged to the point of giving up at the Nazi government's demand he use Axis talent exclusively. Thus his desire for the Astaire-Powell combination, Dubuis's disdain for the German performers—their work is that bad, according to Barbette—extends to the point where he won't even speak.

(Continued on page 47)

Grace Moore's 'Tosca' Precedes U.S. Army Plane Trip to Rio de Janeiro

Cincinnati, June 24.

Grace Moore's first appearance anywhere in the title role of 'Tosca' has been set for Cincinnati for July 22. Immediately thereafter the singer will be rushed to an American bomber and flown by U. S. airman to Rio de Janeiro where she will appear as Flora in 'L'Amore Dei Tre Re.' Her appearance there will serve as the loss of Lawrence Tibbett, and the use of the U. S. plane will offer as gesture of Pan-American good will.

The singer has abandoned for the moment her plans of appearing in 'Buddy' in which she has not done outside of films, and is working on 'Fevrier's Monna Vanna,' which has not been done since Mary Garden, and Lucien Muratore sang it with the Chicago Opera Co. in the early 1920's.

'Too Autobiographical', Nazis Nix Guitry Play

Sacha Guitry's repeated protestations that he had no Jewish blood, made for the benefit of Nazi officials in Paris, have formed the subject of a play that the author-actor-producer has written. It's about a Catholic accused of being a Jew. The Nazis have nixed the production because they say the play is 'too autobiographical.'

AFRA's Strike Call Against All MBS Commercials

A strike against all Mutual Broadcasting System commercial programs that are fed to station WKRC, Cincinnati, has been called for July 22 by the American Federation of Radio Artists. This is in extension of the local strike in Cincy which was called last Friday (20).

It is the first time a strike has been called against a network and raises a number of unprecedented and complex legal questions.

Details on page 27.

Artie Shaw's 50-Piece Symphony-to-Swing Orchest

Artie Shaw will put into working form this fall the ideas he has had for a big symphony-to-swing band. Beginning Oct. 1 he will tour the country with a 50-piece orchestra, playing straight concerts in various arenas and auditoriums in key cities. Tour is currently being set up, but outside of a few tentative commitments no contracts have been signed. It is to last three months. The large orchestra will combine

(Continued on page 34)

GIORGIO GABLE TO COME TO AMERICA

England Wants Entertainer for Month Before Her Next U. S. Tour—Meantime British War Relief Gives Showmanship Build up to Winifred Ashford and Pat Macleod, Volunteer Women Drivers in London Air Raids

NAZI PLANE SHOW

Importance of the human side of the war effort is underscored by the cable Winston Churchill has sent Gracie Fields, England's most popular comedienne, 'drafting' her to the United States for Aug. 28 for the American-supported British War Relief Society. She clippers from La Guardia Airport July 3, meantime snatching an interim tour for the Navy League of Canada. She has already raised \$150,000 for the British War Relief and \$100,000 for the Navy League on previous tours. Meantime the British War Relief is developing showmanship methods in appealing to the public. Latest undertaking is a tour of the U. S. A. by Winifred Ashford and Mrs. Pat Macleod who have been driving ambulances and mobile kitchens throughout all of the great air raids on London. Two women belong to the Mechanized Transport Corps which is ununiformed, volunteer, unpaid and non-government. They came here some weeks ago at their

(Continued on page 47)

Cliff Fischer Refused Lloyds Policy Insuring S.A. Sailing Schedule

When Lloyds of London refused to gamble 4-1 with Clifford C. Fischer on his proposed sailing for South America, the American showman decided that he better not dare the fates too much and, accordingly, he's not taking his reeve to the Dominican, Rio de Janeiro, to the Mar del Plata, Argentine resort, this fall and winter. Fischer offered to pay as high as \$100 premium on a \$20,000 policy, which only called for insurance that he'd have a boat sailing from New York for Rio at a time between July 15 and July 31.

But in view of the S.S. Robin Moor disaster, Lloyds wrote back that marine insurance of this nature, even on a 25% premium basis for a fortnight period, was too hazardous. Fischer didn't need a road map thereafter to conclude that Lloyds

(Continued on page 34)

'Slap Happy' Hollywood Divorces And Marriages Targets of Pulpit

No Defense Coin Hypo For B'way Seen Until Fall

Always the last to feel unusual hypings, such as the national defense program, New York nixery operators figure that by September the Big Town should really start to benefit from the economic spurge, and hence are looking forward to big dollars.

It's no secret that escapology is the current mood of the country and the pubs and taverns are dining their best business of late from a pretty steady drinking public.

Detroit, June 24.

For some reason, current divorces among folks in show business and recent marriages reported by the press as being on the 'slap-happy' side are bringing up a storm of protest here with threats of a picture boycott.

Both church groups and the general public, as reflected in those indicative letters to the newspapers, are wrathful, insisting that the Holy office has lost its grip, that 'this is no time in the nation's history to become unmoored' and that again 'it is time the public took up the cudgel of the boycott.'

Particularly singled out for attack was the Barbara Bennett (Mrs. Morton Downey) divorce and remarriage (to Addison Randall) and the Marion Talley custody hearing, carried at length by the press here. In the former case women seemed to be the most ardent crusaders, touched off by the five children's angle and the time the public took up the cudgel of the boycott.

Camp Bookings Okay; Besides, It's Patriotic

Looked on originally as merely a streamlined variation of the everyday, garden variety benefit chiz, mobile shows currently traveling through Army camps on motor trucks are proving far from that for performers. While those in the higher pay brackets are not getting what they ordinarily would in theaters or nighties, they're finding the tours not financially unprofitable.

Citizens Committee for the Army and Navy, Inc., sponsors of the free traveling units, have set up a \$100 minimum wage for performers. Most of them are getting a bit more than that, with the highest weekly figure currently \$225. That provides pocket money during a layoff, even for a 1600-week performer, without bringing down his pay scale as it would were he to accept a cut-back rate.

There's been very little quibbling by actors over wages. Most of them are motivated at least partially by patriotism and want to accept the dates of wouldn't volunteer. So they're usually willing to take what the U. S. is offered, particularly the better-known performers.

However, still need Big Names.

Winston Freedley, chairman of the entertainment division of the CC, is still having trouble obtaining big names, such as an equally as good, to go out with the units. They are not paid beyond their expense. Most of the shows are therefore done for the love of it. Allan Jones has completed his two-week stint and returned to Paris.

(Continued on page 47)

U. S. Boys Split Yacht for \$1 Chicago, June 24.

Leo Spitz has sold his yacht, The Caroline, understood worth \$200,000, to the U. S. Navy for \$1.

Particularly singled out for attack was the Barbara Bennett (Mrs. Morton Downey) divorce and remarriage (to Addison Randall) and the Marion Talley custody hearing, carried at length by the press here. In the former case women seemed to be the most ardent crusaders, touched off by the five children's angle and the time the public took up the cudgel of the boycott.

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Baldwin Ditches M-G Pact; Clam-Digging Preferred to Scripting

Hollywood, June 24.

Digging clams and setting out lobster pots is more fun than writing screenplays, even at a flock of money per year, according to Earl Baldwin, who calls off his seven-year-scripting contract with Metro and goes back to Maine.

Baldwin's move over to the Culver City lot last March after nine years of writing for Warners. His latest script was 'New York Hereafter.'

Billy Conn's Rep. Pic

Billy Conn, who came within a punch of winning the world's heavyweight title in Joe Louis a week ago, has been inked by Republic to appear in 'Kid Tinsel,' a Collier's story by Octavus Roy Cohen. Fight-club promoter from Pittsburgh is guaranteed two weeks' work at between \$15,000-\$20,000.

Conn's ink signature the past in New York today (Wednesday) and leaves for the Coast in a week to 10 days.

Jimmy Roosevelt Clippers Into N. Y. With Diplomatic Info for Washington

By GEORGE FROST
 Jimmy Roosevelt, mixed up these days with foreign war theatres instead of the neighborhood movie type, clipped into N.Y. this week with advice that the other members of the royal family need more tanks and planes and with a piece of shrapnel that missed him by an arm's length in close call in Iraq.

The advice he personally took to Washington the next day. The shrapnel memento he promptly turned over to Mrs. Capt. Jimmy, his former nurse, into whose inviting arms he sprang when the Yankee Clipper docked at LaGuardia Field Sunday (22).

The globe-circling President's eldest son had been engaged on a scheduled stopover in London "because we picked up so very much really interesting information that we decided to come right home." The info was saved only for the ears of his boss, Gen. Holcomb, of the Marine Corps in Washington.

Food editors and newspapermen were entertained by the New Yorker (Continued on page 47)

Joe Palooka, Ferber Yarns Basis of Two Rodgers-Hart Shows

Richard Rodgers and Lorenz Hart reported next season, have identified the shows. Probably the first to be completed will be "Private Palooka," to be collaborated on by Fisher, who is writing the script. Fisher's Joe Palooka comic strip.

Second show will have the book from Zane Grey's "Harrowed Trunk," running currently in Cosmopolitan magazine. George Abbott may produce one of the musicals in addition to "Young Man's Fancy."

Threewordy duo also plans a revival of "Connecticut Yankee," with Victor Moore and William Gaxton starred. It's understood that the new team approach is the idea. Some new tunes would be interpolated and the book revised, with the lines strengthened. The parts of King Arthur, figured a natural for Moore. If the revival is done, it will be after the tour of Louisiana Purchase, which recently closed after more than a year on Broadway with Moore and Gaxton topping. "Yankee" was originally produced in the fall of 1927 at the Vanderbilt, N. Y.

Playwright Marchand P.A. for Gen. Weygand

Tunis, June 6.
 Head of General Weygand's Press Office, Lieut. Colonel Charles Boyer Marchand, playwright and scenarist, Marchand, who wrote the scenario for "The Waiter" and "The Play," stage and screen hits, is headquartered in the Winter Palace, directly below the Kasbah, where the French screen hit, "Pepe le Moko," with Jean Gabin, was set. (The American Film Agents' with Charles Boyer and Hedy Lamarr, was adapted from "Pepe.")

Although Marchand is supposed to concentrate on political and military matters and prepare them for press consumption, he much prefers to sit down and talk about Hollywood and Broadway. And he believes he has nostalgic when he talks of "Gay Paree."

Hayes Family Doing All Right at Mono

Hollywood, June 24.
 "Six Boom Bab," musical film Monogram, will be largely a family affair with Grace Hayes, her son, Sam and Hayes, and his wife, Mary Healy, in the roles.

Sam Katsman production is slated to roll early next month.

Tom Dorsey's Divorcing; Wife Gets 33% of Band

Application for divorce of the Tommy Dorsey's was scheduled for hearing yesterday (24) in Somerville (N. J.) court. Letter was separated from Dr. Dorsey for several months and the action was filed quietly.

Settlement between the two, said to have been agreed upon recently, gives Mrs. Dorsey a weekly sum of approximately \$250 and a one-third interest in the net profits from the Dorsey band for the duration of its existence. Pair have two children.

William Morris Memorial Park Is Dedicated

Sarasota, N. Y., June 24.
 Despite a pounding rain, the N.Y. State Lions rang the curtain on their three-day state convention with an impulsive dedication of the William Morris Memorial Park, honoring the memory of the showman who contributed so much to this community. Still fresh in memory are the periodic benefits for the "Young Man's Fancy" and the "Connecticut Yankee" and other public benefactions.

According to the request of William Morris, Jr., that the father would not have liked any public emolument, such as a statue, he requested instead that his name be

Shubert 'Mardi Gras' To Mark Comeback Of Jean Schwartz

"Mardi Gras," musical comedy being readied for Broadway by J. J. Shubert and his partner, Jean Schwartz, who has composed the music. "Mardi Gras" is one of a flock of musicals being produced next season. It will have its premiere in Dallas late in August and will play Chicago prior to New York.

Schwartz, formerly one of the top popular tunesmiths, has been questioned by increasing number of best selling hits being "Bedella" and "Chinatown." Book of the new show will be by Rowland Leigh, it being an adaptation.

Amateurs Pretend to Be Nazi Spies And It's Not Funny to Uncle Sam

Washington, June 24.
 Job of keeping a 24-hour watch over the air to detect illegal radio transmissions which might upset national defense plans was explained yesterday by the Federal Communications Commission in a release entitled "Guardians of the Ether." Concerned over increasing number of suspicious broadcasts, involving at least two cases where amateurs have been accused of transmitting in code, the commission has issued special code requirements. In addition to combing U. S. airwaves for suspicious material, a special unit records, translates and analyzes DX programs which are intercepted.

Collaboration between the two stations is not uncommon in tracking down unlicensed broadcasting, it was revealed. By plotting

SEE STARS' TRIPS 'OUT OF PLACE'

Increasing Seriousness of War Situation Has So Altered the 'Good Neighbor' Setup That Film Capital's Junkets to Latin America Held Likely to Become More Liabilities Than Assets

QUICK IDEA CHANGE

By RAY JOSEPHS
 Buenos Aires, June 24.
 Increasing seriousness of the war situation, especially as it affects the Americas, has in the opinion of many in informed circles here so altered the American relationship picture that future Hollywood star goodwill visits are likely to be more liabilities than assets.

Consensus of those surveyed by VARIETY during the past fortnight is that Latin star visits come in the class of junkets no matter how much like ambassadors of goodwill the visitors (Continued on page 34)

GOETZ'S COL. FILMUSICAL IN N.Y.?

Harry M. Goetz has been in New York on a visit from the Coast during the past week going into the possibility of producing a musical in Columbia in the fall at Eastern Service Studios, Astoria, L. I. Object of the New York production would be to take advantage of the presence of a number of Broadway players, etc.

Film-legend producer is currently partnered with Gregory Ratoff in lending "Tonight Belongs to Us" (formerly "Ballroom") for Col. He returns to the Coast tomorrow (Thursday).

Bennett, Ameche Paired

Hollywood, June 24.
 John Bennett and Don Ameche take the top roles in "Confirm Or Deny," due to start July 7 at 20th-Fox.

Darryl F. Zanuck producer and Fritz Lang directs.

Rule Out Hollywood Film Stars As Latin-American Goodwillers

Heidi Vosseler, Philly Girl, Marries Draper In Rio

Philadelphia, June 24.
 Heidi Vosseler, who married Paul Draper in Rio de Janeiro, Brazil, two days ago, is a Philadelphia girl, she left here June 13 for the purpose of marrying Draper in South America.

Girl started with Catherine Littlefield ballet and has been with the Metropolitan opera corps and also was in "Loulaina Purchase."

Mrs. Frank Harris' Sweeping Legal Victory on Play

Nellis Harris, widow of Frank Harris, the author, won a complete and sweeping victory over Gilbert Miller and Norman Marshall, producers of "The Sign of the Cross" authors, and Heron Productions, Inc., when Judge Vincent L. Leibell in U. S. federal court ruled the defendants' play, "Oscar Wilde," was a plagiarism of her husband's book, "Oscar Wilde, His Life and Confessions." Ruling was handed down yesterday (24) and grants Mrs. Harris an injunction to prevent the play from being produced against all defendants, damages for infringement by the two Stokes, and an accounting of profits to be determined by a special master against all defendants.

Harris wrote his book in 1918, 15 years before his death, with his widow acquiring all rights to it. Defendants Stokes are accused of having written their infringing play in 1934, using substantial parts of the third volume of Harris' book and in other parts, using verbatim quotes. In all, the court found 37 instances of infringement. The play is originally presented by Marshall in London and in N. Y. by Miller through Heron Productions.

The accounting on profits to be determined by the master will be those profits which resulted by virtue of the use of Harris' book, and not the entire play. Injunction prevents the presenting of the play, sale of film rights, radio performances, etc.

Johnnie Walker's Firm To Make U.S. Catholic Shorts, Also Latin Items

Albany, N. Y., June 24.
 Johnnie Walker Motion Picture Productions, Inc., has been chartered to produce a motion picture series, theatrical business in New York. Directors are Johnnie Walker, Harry Walker and Owen Hill of New York City. John W. Bonney was filing attorney.

The new firm proposes to make a series of Catholic shorts in the United States and continental areas, film short production in South America. Attorney Bonney leaves this week for the latter continent.

Bing Nixes Last Chance To Make an Outside Pic

Bing Crosby has cancelled all outside engagements and will rest during the summer, having turned down an outside picture for 20th Century-Fox.

This was his last chance for over three years to make a film off the Paramount lot, as started on Nov. 3, is tied to an exclusive Paramount contract at \$175,000 a picture, three yearly until 1944.

Plan of sending film stars to South America as good will ambassadors has been tossed around. It was revealed Monday (23) by Jack Whitney, chairman of the motion picture industry's Rockefeller Committee on Latin-American Relations. Government-sponsored organization will push ahead, however, Whitney declared, with its plan for hyping inter-American solidarity. His firm, despite a growing conviction in some South American quarters that the whole idea might be dropped (See story from Buenos Aires here). Although the reaction to the recent tour of Duquesa Harris, Jr., was excellent on the southern continent, the Rockefeller committee declared, there's a general feeling now that junkets by Hollywood stars are not something to be encouraged too often by individuals. Any players who go south in the future, he said, will do so entirely on their own volition, with no official tag and no right to speak for any public body.

Studio Cooperation
 Whitney's faith that pictures can play an important part in cementing relations was given more strength at a meeting with heads of all major companies last Friday (23). They agreed that time is the right sort of job could be done and accepted Whitney's proposal that the industry should exert its full South America in their studios with full authority to veto anything he (Continued on page 20)

JUANITA HANSEN IN A SUICIDE ATTEMPT

Chicago, June 24.
 Juanita Hansen, former silent screen star, attempted to commit suicide by jumping from the top of Saturday (21). She was taken to a hospital, but after a couple days treatment was discharged.

Miss Hansen has figured in the past as a "reformed" narcotics addict.

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Hays Office and State Dept. Making Real Progress in Efforts to Thaw Out More Com Frozen in England

Despite the absence of official talk or even mention of the move by American distributors to dislodge additional portions of the vast millions estimated at \$30,000,000 to \$40,000,000 presently frozen in Great Britain, U. S. film officials, with the Hays office and State Dept., gradually are making real progress at reaching a new amicable formula. Not revealed whether U. S. distributors have petitioned for any certain sum but it is known that efforts are being made to change the basic terms of the agreement between the U. S. film companies and the British government. Payments that conditions have changed, that the lease-lead law loosens up the coin and supplies situation for Britain to such an extent additional sums should be allowed to leave the British Isles and placed to work to the benefit of American picture companies.

Not estimated that U. S. distributors receive only 33% of the revenue collected from distributing pictures in Great Britain, without the same amount of the revenue in the frozen solid. Not only is it frozen but American film companies have had a difficult time in getting to place these funds into active use. Outside of carrying out terms of the quota law in England, bulk of these millions remain idle.

Cast Is Lax
Under regulations of the British, this frozen money can't be employed for purchase of bonds or theatres in Britain, without permission from the British Board of Trade. Thus far, the B. of T. has zealously guarded interest of British people by refusing to permit American companies to buy any British bonds or stocks, interests or any way obtain additional foothold on the isles via buying of bonds.

American distributors have carried on with full supply of films under all conditions of war. It is estimated this week that the eight major companies likely will be receiving the last of the \$12,000,000 due under the current quota contract. Only 25% remained to be re-issued, under the ice-bound situation. This has been carried out within the last six weeks it was reported.

Representations of the film husbands being carried on by W. M. Alport, Hays office representative in London, in the matter of trying to unfreeze additional film revenue.

FRIDAY'S BIG U SUIT KAYOED; CAN AMEND

William Friday's amended complaint against Universal Pictures Co. Electrical Research Products, Inc., Western Electric, Standard Capital Products Manufacturing Co., and other officers and directors of Universal was dismissed yesterday (Tuesday) by Judge Ferdinand M. Payne in U. S. supreme court. The dismissal was with leave to amend the complaint 30 days.

Friday, on board of directors for Universal, seeks damages of over \$2,000,000 charging waste and mismanagement.

Gilpin Ankles Columbia

Hollywood, June 24. Joe Gilpin, manager of production at Columbia, turned in his resignation.

He leaves the job July 15 after two years on the job.

'Jack' Alias Mickey
Walt Disney's new feature-length cartoon (Mickey Mouse) is a live-up version of 'Jack and the Bean Tree' and it has been set for Christmas release.

This currently is 'Happy Valley,' although it may later become 'Siap-Happy Valley.'

We Want Pictures

Los Angeles, June 24. Complete population of Chesterfield is petitioning for the 20th-Fox film exchange, demanding a theatre in their town.

The soundless idea good until it was learned that Chester has a total population of 23.

Hold Geo. Browne, Like Willie Bioff, In \$50,000 Bail

Trial of George E. Browne, president of the International Alliance of Theatrical Stage Employees, on Government charges of extortion against four major film companies, was set for Aug. 18 by Federal Judge Edward A. Conger in N. Y. on Friday (20). The trial date is the same as that set for William Bioff, west coast representative of the union who, along with Browne, was accused of having extorted \$550,000 from Warner Bros., Paramount, 20th Century-Fox and RKO.

Following the trial, Browne is being called a strike among their 35,000 members.

Browne was well represented in court, having as his attorney Martin Conboy, who was formerly U. S. Attorney for N. Y. and holding the same position in 1933-35 as Mathias F. Correa now does. Bail of \$50,000 was set for Browne, who is among the amount asked by Conger, although Conger requested \$50,000, pointing out that Browne is a family man, father of three children, who had no past criminal record, and who had been a member of the family "unlawfully." Judge Conger stated, "I see no reason for a differentiation between the two defendants and set bail at \$50,000, same as for Bioff."

Correa made the same request for the protection of Government witnesses that he had previously stated before Judge John C. Knox. Judge Knox followed Judge Knox's ruling, and told Browne that if any letters or calls were received by Government, they would be referred to and Browne jailed. Browne was given 10 days to make any motions for 15 days and producer his bail was released.

Pasternak Set by M-G

Hollywood, June 24. Joe Pasternak, producer of 10 Deanna Durbin pictures at Universal, moves to Culver City to produce pictures as soon as he finishes 'Almost an Angel,' his last Durbin picture. Pasternak was previously reported set for RKO and 20th-Fox until M-G paced him.

Pasternak was called at Universal for 15 days and producer his last Durbin picture, "Three Smart Girls," in 1938.

Manning Gets Durbin

Hollywood, June 24. Bruce Manning was named producer of the next Deanna Durbin starring at Universal, succeeding Joe Pasternak, who is shifting over to Metro.

Picture starts after Manning finishes his present job as producer of the Frances Boyer-Margaret Sullivan film, 'Appointment for Love.'

Low Lehr Still Laid Up

Low Lehr, noted for his comedy sequences in Movietone newsreels and on the radio, is still suffering from a bad cold and a sore throat, who also is head of 20th-Fox short features, has been away on leave of absence for over six months.

His duties at the head of shorts are being handled during his absence by Thorngren, who handles sports for Movietone. No attempt has been made to fill the comedy spot in the reel.

Screen Test Legal Decision Establishes Important Precedent

For the first time in theatrical history, a court has ruled on the question of obligation on the part of an organization offering to hire talent, and that talent, and the subsequent failure to go through a deal. This ruling came Friday (20) in a court case, when J. Edgar A. Carlin, awarded Conrad Notes, actor, \$1,500 against Lewis, Inc., for failure to go through with a screen test.

Notes, who had played the part of Hitler in 'The First Dictator' on Broadway, was signed by Lewis's on March 22, 1939, to make a screen test. Lewis, Inc. offered Lewis an exclusive option on his services for four weeks from the date of the test. If accepted he was to receive \$150 weekly on a term contract. Lewis's never went through with the test and Notes claimed he was idle 10 weeks as a result of the waiting and the contract. The ruling of the court established that even if there was no obligation to give Notes a job, the company was obligated to give him the screen test. The court awarded him \$150 weekly for the 10 weeks. Lewis will appeal.

Attorney for the plaintiff is J. B. Garfield, of Cecil A. Citron's firm.

SCHENCK, MOSKOWITZ FILE APPEAL RECORD

Attorneys for Joseph M. Schenck and Joseph M. Moskowitz filed an appeal on appeal Monday (23) in N. Y. Circuit Court of Appeals. Both men were convicted in April of having defrauded the Government on Schenck's 1935-37 income tax.

The case will be argued during the summer and a preference secured for an early October hearing. Both film executives in seeking a reversal are claiming errors in Judge Grover Moskowitz's charge to the jury which was set aside by Judge Knox's ruling. Yesterday (Tuesday), Judge Edward A. Conger, on consent of Mathias F. Correa, U. S. attorney, extended the term of the court to have jurisdiction over the case till August 1942. This was at the request of both Schenck and Moskowitz, since under court rules, after a decision has been handed down, the court retains jurisdiction to modify or change its decision for three months. The case, now being up on appeal, the defendants do not desire to have the technicalities of the federal court prevent them from securing such a modification as trial Judge Grover Moskowitz might see fit to make.

Schneider's Shares

Washington, June 24. One small film transaction revealed for April, 1941, when the Securities Exchange Commission reported purchase of 100 shares of Columbia Pictures common no part of which was sold to the New York office and director of the company.

Schneider retained 1,504 shares of same type papers, plus options for exchange on 7,800 shares, according to the official summary of the exchange transactions for the month of April.

Mich.'s Big Sales in U.S. Defense Stamps and Bonds to Theatre Fans

United States Defense Savings Stamps and Bonds are sold here from the theatre boxoffices following the selection of Michigan as one of the states to be included in the experiment. Early results have been along the spectacular side with a few surprises.

Bonds for Banko

Spartanburg, S. C., June 24. Spartanburg sales campaign leaders considering plan to offer equal value in national defense stamps and bonds instead of cash as weekly banknote payoff at three local theatres.

Prize runs from \$200 to \$300 frequently.

Detroit, June 24. United States Defense Savings Stamps and Bonds are sold here from the theatre boxoffices following the selection of Michigan as one of the states to be included in the experiment. Early results have been along the spectacular side with a few surprises.

The trip was formed easily since show business is heavily represented as the general organization, with Frank N. Isbey, former manager of the Michigan State Fair, state chairman of the sale and Fredrick Schader, former director of publicity at the Fox theatre, in charge of sales.

Edgar E. Kirchner, manager of the Family, was named chairman of the motion picture circuit. C. J. DeLoach, exchange employees have been organized for weekly contributions to the stamp drive.

The house boxoffices have started during a lull in business early on the stamp sales because of the change plan. Most of the fans seem willing to stick to the odd two-bits for a stamp. It is thought to be the spot where about 50% of the total sales will be made. DeLoach accounts since this is the theatre that those who ask for the books in which to place such savings. Biggest surprises have been three customers in the early days of the stamp run for one \$100 and two \$50 bonds complete.

Readiness of the public to stick to the stamps is being noted by DeLoach also to the exhibitors here that what they suspected was one of the things that would be a major defense center was off because the public is saving heavily. DeLoach says that the present readiness of the theatre fans to stick to the stamps is a good thing. DeLoach says that the present readiness of the theatre fans to stick to the stamps is a good thing.

Consent Gives 'Em Something To Shout About

Number of distribution execs are finding at the best a favorable angle in the lock-out-of-five selling plan. It is giving relations something new to talk about and has thus created more enthusiasm than when they go out with fountain pens and contract blanks to call on exhibitors.

After years in the past, the prospect-ordinaires have had nothing to jog up their line of patter. It was always the same as last season with nothing changed but the titles of the pie-and-meat-a demand for more coin or more pix in the higher brackets.

Now they have something different to sell. They've got to use their ingenuity and their brains and their mouths to get a penny less, as a result, feel that there will be a general reaction to the warbe movie playdays in the long run.

SALLY RAND PIC UP AGAIN FOR OK IN N.Y.

Albany, N. Y., June 24. The Sally Rand picture, first called 'The Sunset Strip' and later 'The Sunset Murder Case,' is once more before the Board of Regents, Crystal Pictures, now distributing the picture, has an appeal asked that Irving Edmond, director of the motion picture division, State Education Department, be directed to grant a license. Edmond rejected the last version on May 21. The Rand incident sequence, the big punch of the dancing scene and the one around which the controversy between the distributors and the M. P. d. has hinged, was still found objectionable. Crystal claims the new edition is different but the same. The picture was first vetoed in 1938 and was turned down by the M. P. d. Eventually the distributors got the eliminations and on this basis, a license was granted. However, when the picture was shown in the Leisler Albany theatre, advertising emphasized the 'spicy' scenes which the M. P. d. had eliminated. The picture was reported, complained to District Attorney John T. Delaney. The M. P. d. then ordered the picture to be substituted another. At the same time the picture was ordered Grand National Pictures to enter in the seal and to discontinue exhibition of the film in New York State.

George Blake, who was attorney for Grand National Pictures, filed a lawyer for the petition in the newest appeal.

Three in Package Warners' 65 Contractees

Hollywood, June 24. Package deal, cooked up by the Peimel-Burns agency, calls for Paul Cullner as producer, and Randolph Scott and Elisabeth Bergner (Mrs. Cullner), as cast members in 'Paris Calling.'

Picture will be released by Universal.

Contract players at Warners, exclusive of the stars, mounted to 65, according to the studio. The list includes Robert Bosworth, an oldie, heads the list of newies, including Diana Hill, Hilary J. Jones and Nancy Coleman.

Other News Pertaining to Pictures

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Extras, Freelance Players

Get \$500.00 Wage Boost Hike Is Okayed by SAG

Hollywood, June 24.

Pay lifts for extras, day players and freelance actors...

Rehearsal pay for singers is increased from \$11 to \$15 per day...

Dancers Are Upped The minimum scale for dancers will be increased to \$100 per day...

A minimum scale of \$200 per week is fixed for stunt men...

Improved working conditions for extras will be provided...

Cancelled calls: Extras will receive a quarter check for any cancelled calls...

Extras required to work on legal holidays will receive time and one-half, if they have been hired by the extra, and an extra day's pay...

Rate for lodging: The number of days on which a day-player may be called for fittings is limited to the extent of the number of days' work given the player...

When a freelance player receiving a minimum of \$200 per week is asked to do a stint, he shall receive as a minimum adjustment to \$35 for each overtime hour...

Out of Her Loneliness

Garbo, after a long absence, returned to work at Metro, playing the title role in a picture tentatively titled 'The Twins'.

Pix Cartoonists' Strike Vs. Disney Near Settlement

Proposal believed to be key to settlement of the cartoonists strike at the proposed settlement...

Walt Disney, in a reply to counterproposal of May 15, to set up an arbitration board to pass on the dismissal of any workers released...

In his letters of June 13 and 14, Disney offered to reinstate all employees of May 15, to set up an arbitration board to pass on the dismissal of any workers released...

HAYS NAMES STUDY COMMITTEES BY PROXY

With Will Hays not back in New York yet yesterday (Tues.), the head of the Motion Picture Producers' Distributors' Association...

Committees named follow: Executive Committee: Hays, chairman, Jack Cook, Nicholas P. Schenck, George M. Schaefer, Sidney R. Kent, Neale Blumberg, Emory Pomeroy, Harry M. Warner, Maurice Silverstone.

Finance: Kent, Harry M. Warner, George Bortwick, last being Hays' representative. In addition to these are: Special Budget: Nick Schenck, chairman; Balaban, Joseph H. Membership: Jack Cohn, Blumberg, Schaefer.

Studio Contracts

Hollywood, June 24. Fred Kelsey drew an actor contract at Warner. Donna Reed and Anne Rooney secured approval of their minor parts with Metro.

Jimmy Lynd changed his two-picture deal to straight acting contract with Paramount. John Brahm handed one-year directing ticket by 20th-Fox.

Donald Meek linked contract at Metro. Nell O'Day's player option picked up by Universal.

Joseph Tyler drew Paramount contract. Tom Lister handed player ticket by Republic.

Paul Grege got renewal of his 20th-Fox contract while he was losing his appendix. Barbara D'Amico was new as a scripter at 20th-Fox.

J. Fervell Marley renewed as a film executive at Metro. Vivian Mason optioned for another term as stock player at 20th-Fox.

K-A-O Reg Plan Can Now Proceed on Sked; Stockholder Appeased

Withdrawal of the injunction petition last week by an RKO shareholder to stymie reorganization of Keith-Albee-Orpheum has cleared the way for stockholders to agree to approve the plan either Friday (27) or next Tuesday (1).

'Yesterday's get-together was a preliminary meeting last week which was adjourned because of the stockholder suit. Another adjournment was scheduled for Wednesday, but there's a likelihood that papers still won't be ready and an additional postponement until Tuesday will be needed.

Ernst Lubitsch, recently signed as a producer at 20th-Fox, is due to direct a comedy for Warner Bros. starring the new picture 'Chances at the Westward' with Charles Laughton.

His Warner picture, now being completed for Gaby, will be in collaboration with Melchior Lengua. It is due to start early in September.

New Hitch for Sothorn

Hollywood, June 24. Alan Sothorn, recently starting in 'Ringside Music', was handed a new contract by Metro. Following a short vacation in Alaska, her next picture will be 'Fanny Hatter'.

U.S. Maps Tighter Supervision Of Foreign Picture Propaganda

Lasky Continues at WB

Producers Lasky came east to attend the press along with Gary Cooper, star of film, already in N.Y., and Sergt. Alvin C. York on whose life the picture is based. Letter arrives in N.Y. early next week.

Decree Stymies Pre-Releases For Resort Bookings

For many years in the month of getting new season's film a habit of more in advance, resort towns have had the country over crowded with having to struggle through the late summer with whatever they can get.

Under the consent decree no 1941-d film will be pre-released according to plans. The season, as specified by the decree, is to begin Sept. 1.

Theatres in resort towns like Atlantic City, Auburn Park, Saratoga, Lake George, all over the Catskills and Adirondacks, plus other parts of the entire United States, have already been able to get film while at the heights of their seasons.

Distributors have frequently permitted films to go into the resort towns in advance partly to get a head start on their possibilities. Also, in providing new pictures to houses in resort localities, they have avoided buying during late July and August that wouldn't be there if they wanted until September or later.

INDIE WINS 'DICTATOR'

Detroit, June 24. Pending hearing of the case, Federal Judge Edward J. Moine ordered the delivery of 'The Great Dictator' to the theatre which opened only a week ago, declared that it had taken the clearances.

In ordering the delivery made, the judge indicated that it was to go into the full matter at a later hearing. The case is similar to the recent one involving 'The Sign of the Cross' which brought proceedings just the reverse of this claiming that the new novel was being given precedence or clearance.

McDonalds Appeared: The case of McDonalds vs. Metro was argued by the firm on June 24.

McDonald Bros. dismissed their case in which they were asking better clearance of the picture 'The Sign of the Cross' at Mitchell, Neb., as against several houses in surrounding towns operating under the same clearance. A settlement favorable to the McDonalds was made.

Steinlager's Clearance: Lawn theatre, operated by James Steinlager, in Chicago, has filed complaint with the Chicago arbitration board to clear up the picture 'The Sign of the Cross' at Mitchell, Neb., as against several houses in surrounding towns operating under the same clearance.

Lawns theatre, operated by James Steinlager, in Chicago, has filed complaint with the Chicago arbitration board to clear up the picture 'The Sign of the Cross' at Mitchell, Neb., as against several houses in surrounding towns operating under the same clearance.

Tighter Federal regulations than provided in legislation now being drafted under supervision of the State Department, which various Federal units are working out, means to gag advocates of the Nazi-Fascist philosophies.

Washington, June 24.

A bill will be sent to Congress soon curbing one-sided and inflammatory propaganda from abroad. Secretary of State Hull notified Senator James M. Stead of New York last week that he is sending a letter to him saying also his department is riding hard to see there are no violations of the law regarding agents of foreign principals to register in order to carry on their operations here.

In response to Mead's complaint about Germany's celluloid propaganda, Secretary Hull wrote, 'It has been felt for some time that an elaboration and tightening of the statutory restrictions would be desirable and a bill is being prepared to present laws as being framed.'

Furthermore, this department together with and in cooperation with the State Department, the War and Treasury Departments, is now giving active consideration to the question of how to prevent the use of Axis propaganda in this country which cannot be prevented by other means and it is being studied to see how it can be reached by which a proper control over the dissemination of propaganda material may be effected, Hull added.

Mead previously squawked about such films as 'Victory in the West', 'The Big Game' and 'The Prisoner of Belsen' which he charged are 'calculated to serve the best interests of the military troops of Europe.'

Whether or not UFA, American distributors of the films, is strictly the commercial venture, it claims to be or is an arm of the German Government. It is not a strictly become crystal clear. The answer will be apparent when it is seen that a solution will be presented to get new films from Germany for American release.

Distributing organization has been put on the spot by President Roosevelt's order of last week forbidding export of coin to Germany. It can be seen that a solution will be presented to get new films from Germany for American release.

PAR WANTS MAG-PIX TITLES TO CONFORM

New York is going to considerable trouble currently to get maximum protection for the picture titles of books and mag stories it buys for films. Latest case is that of 'The Sign of the Cross' which was titled 'By Night' which is to be serialized in Cosmopolitan. Par fears that tag will be a problem for the picture.

In the case of 'Hold Back the Dawn', that was bought originally as 'Yonder Lies Paradise' and the picture title was changed to 'The Dawn' had plates made up with that title. Par figured that the word 'Paradise' might be changed to 'Dawn' too often and therefore made an arrangement with DSH&P to destroy the original plates for the picture 'Hold Back the Dawn'. Film, produced by Arthur Hornblow, Jr., is now being shipped to Europe. Book is by Ketti Fields.

THE NEW YORK

Mpls. Indies Again Talk Wholesale July Shutdowns; 'Strike' vs. Rentals

Minneapolis, June 24. Northwest Allied leaders are inquiring into the legal aspects of a wholesale closing of their members' theatres for the month of July or longer as a 'strike' for film rental reductions in line with lower grosses. Members are being held back by fear that such action would cause them to be indicted for conspiracy in restraint of trade in violation of the anti-trust laws, the leaders declare. Exchange managers assert, however, that Allied leaders are 'bluffing' and wouldn't order the shutdowns even if there were no legal obstacles, assuming there are. All the boys could be held in line and important independent spots wouldn't be content to remain dark while opposition Paramount houses continued open, it's pointed out.

Bennie Berger, owner of one of the largest independent circuits and a Northwest Allied member, says that, however, that he's ready to close his nine houses for the month of July if only a majority of other independent exhibitors will do likewise. Berger advocates the temporary closing of his theatres as a "bluff" tribute, but for the benefit of the boxoffice. He presides bad business cases for such a drastic measure. When the theatres reopened again, he believes, the public would be hungry for an entertainment of the type the state anti-consent decree law, continues indefinitely.

It's pointed out that the independents could save up product during a traditionally dull period by stock piling and by cutting expenses to operate longer next winter in case the present ban on film imports is lifted.

PATRICK HARRISON WAS FRIEND OF SHOW BIZ

Death in Washington Sunday (22) of Senator Pat Harrison, 59, meant the loss of a friend to the theatre. Through the years the Mississippi Congressman supported the efforts of the amusement industry to keep down admission taxes, particularly as applied to picture theatres.

Harrison was an intimate terms with William A. Brady and when the latter made representations to have the tax removed from tickets for legit shows, the Senator was his supporter. For a time Harrison's legit applied only to tickets priced at more than \$3 but that was when admission taxes were \$2.50 and upward of the boxoffice. Tax ceiling was placed at \$6, which sided picture theatres. It starts at \$10 for Harrison credited with placing the 10% tax cut-off at the actual price paid by the patron, instead of the former boxoffice price which the tax off.

The Senator was always a foe of censorship and aided the Hayes office in its early gestures to prevent that type of legislation, but in the case of occasions Harrison made speeches for.

It also supported the bill that Congress passed as affecting George M. Cohan for his patriotic songs. Measure was introduced by the late Rep. Theodore Roosevelt and took some time before an appropriation was made. Medal repored in a Washington desk for the first four years but when Cohan got around to President Roosevelt, a year or so ago.

Rice Starts Pecking

Hollywood, June 24. Emeric Rice, Broadway playwright, moved into the Paramount picture screenplay living Berlin's musical "Fury," Holiday film.

Mr. Sandrich is slated to produce and direct the show, co-starring Bing Crosby and Fred Astaire.

FILMS BAY WHOO THE OPPOSITION

Simple as That!

Detroit, June 24. While all the mastertaining is going on in the industry on "what is wrong with pictures," one fan here thinks the solution is a simple human one. Giving Hollywood a breather in the present assault, he puts in his best against the exhibitor in a letter to the editor:

"We see that the movie industry is greatly alarmed over the sharp slump in theatre attendance, attributing the same to double features, etc., which may have something to do with it.

"But we believe that the real reason for the slump is directly attributable to the fact that theatre personnel permit quotas, well-leaved patrons to be continuously annoyed by a new nitwit who keep boring their knees into the backs of seats, talking, eating candy, rustle paper and the like, which make all of our pleasure out of attending the movies." W.F.S.

N.L. Nathanson's 50% Interest In Regal With Loew's

Although a new company was set up in a deal to distribute Loew's product, with Paramount's interest in the old Regal exchanges gobled up, Nathanson remains in direct control, it is learned, as a larger hold-over than ever before.

Representations were that the new Regal Film Corp. set up in Canada to distribute Metro pictures was 100% wholly-owned by Loew's, whereas subsequently it is learned that Nathanson is a 50% partner with Loew in the new enterprise.

Metro product up June 1 was distributed through Regal Film, Ltd. Paramount owned 97% of Famous Players-Canadian corp. which in turn controlled all of the stock of Regal Film. The balance of 12% was owned by Nathanson and associates. When Regal Film, Ltd. was dissolved under the deal with Metro and the new Regal Film Corp. set up, the Nathanson interest passed to 50%, Loew's having the other 50% in the exchange system along the border which distributed its film.

In the change in corporate asset and ownership, Henry Nathanson, brother of N. L., is general manager of the motion picture Producers & Distributors Assn, who went to the Coast with the latter's picture activities of the film industry before the MPPTFA convention, is reportedly out west with PCA masters and defense picture.

Harrison is co-ordinator for national relations and is active in the business in addition to his official duties with the Hayes office. Because Joseph P. Kennedy has been named as PCA administrator, Harrison is supervising the operation of the PCA and is also supervising the work of Green's assistant, takes command for the time being at least.

Illinois Indies Think Pictures Do Too Much Trailering of Radio, Bowling, Baseball and Everything Else That Hurts the B.O.—Never Give Their Own Business a Break

Who's Left?

Hollywood, June 24. Choice of a heavy for Gene Autry's "Down Mexico Way" is a weighty problem at Republic. Can't be a Latin type in an account of the U. S. campaign of goodwill with Latin-American countries. Next is also thumbed-down as Mexico doesn't want it to appear that country is sheltering Germans.

MANY ANGLES

Chicago, June 24. Rallying to the call of Jack Kirzh, president of the Allied Theaters of Illinois, a general open meeting of exhibitors and distributors was held in the Congress hotel last week to discuss the question: "What Is Wrong With Our Business and How Can We Stimulate Business?"

For a time it appeared that the meeting was going into an exhibitors vs. distributors wrangle with several of the theatre owners jumping to their feet to berate the distributors for not providing better pictures, better exhibition, better prices, etc. And the distributors for time were barred into coming back at the exhibitors with demands to know what the theatres were doing to help bring in some customers.

But the calm and good chairman of Kirzh at length prevailed and the boys down to some serious up-and-up comment on what's wrong with the business, and what's to be done about it.

About the first point brought up by the exhibitors was the yelp that the flicker producers are portraying amusements that are strictly competitive to theatres. Exhibits wanted to know why the flicker makers produce pictures which dwell on the good points of radio, or bowling, or baseball. Exhibits wanted to know why some studio could do, and make many friends among ex-

(Continued on page 29)

CONSOLIDATED'S ADDITIONAL PRICING B.R.

Additional financing was extended to Producers Releasing Corp. Consolidated Film Industries in a deal worked out Friday (20) between C. N. Briggs, PRC exec and Herbert J. Yates, head of CFI. CFI was in addition to about \$1,000,000 which was made available to the indie production outfit in February.

PRC will handle 42 pix next season as against 38 for 1940-41. Of the 38, 24 are completed and the remaining 14 are in progress. PRC's season's product will start going before the cameras in July. First is "Jungle Bire" to be produced by George Batcheller.

Col's Prod. Spread

Hollywood, June 24. Columbia is covering a lot of territory, and out of Hollywood while reconstructing sets on the home lot for forthcoming pictures. The sets are at work of the Gower Gulch corner. Pictures are "You'll Never Get Rich" and "The Sign of the Cross" Ladies in Retirement" at RKO-Pathe. "Woman of Desire" at RKO-Pathe. "The Blonde from Singapore" at the Columbia ranch.

Illinois Legislature (House) Passes To 15-Min. Intervals Every 2 Hours

Who's Left?

Chicago, June 24. Illinois Legislature (House) this morning (24) passed anti-double feature bill which would force 15-minute intermissions every hour on every show, running from 7:00 to 11:00 p.m. It is likely that the Senate will approve also. Sana bill was passed two years ago but vetoed by late Gov. Henry Horner.

Obvious effect is to discourage marathon film performances. The quarter-hour interval, if enforced, would act as a natural chaser and force exhibitors to keep their picture programs down to 120 minutes.

Attack Rodgers (M-G) for Upped Rentals Stand

Minneapolis, June 24.

In a statement issued by S. G. Lebedoff as chairman of the Northwest Film Problems' committee, W. F. Rodgers, Metro sales manager, is bitterly attacked for demanding playing time and percentages on pictures so that producers can raise the film quality level and bring the public back to the theatres.

Instead of curing the present ills, the Rodgers-proposed remedy would kill the "patent," which in this instance is the industry, according to Lebedoff who also is Northwest Allied treasurer and Minneapolis governor.

"One thing which would prove the way for a revival of theatre patronage would be the entire elimination of percentage pictures, instead of their selection, as far as independent exhibitors are concerned. Will percentage pictures, independents would have an incentive to go out and spend a lot of time and money in exploiting their attractions to bring the public back to the box-office."

Lebedoff has been agitating for a federal law to permit independent exhibitors to operate collectively in the trade union manner, with distributors. If national Allied States leaders want to do something while for its members, it will take the lead in having such a law passed, he asserts.

COWDIN ANNOUNCES U.S. NEW \$5,600,000 LOANS

Loan pact which makes available \$5,000,000 for production and general corporate purposes was completed Monday (23) by Universal Pictures with First National Bank and the Bank of Manhattan Co. according to an announcement made by J. Cheever Cowdin, president of the bank. Negotiating had been in work for the extensive loan over a period of three or four months.

Loan gives Universal coin for a period of three years starting next July 1. Part of the loan is for renewal option. Interest is 5%.

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'Dance Course of Industry'

Minneapolis, June 24. Indorsing the proposed ban on double feature by Lewis Goldenson, Paramount theatres' head, John J. Friedl, president of the Minnesota Film Association, called the industry's "Dance Course of Industry." At the same time, he charged that producers themselves are responsible for the double-fering.

These producers turn out a number of acts just for the double-fering market and the pictures in question aren't strong enough to hold up as single film fare, according to Friedl. Minnesota Amus. Co. uses less double feature films than the vast majority of circuit.

As for premiums and other giveaways, however, Friedl claims that they are not given out by exhibitors themselves. It's criminal, he asserts, to be forced into giving away the picture to get people away from competitors when patrons receive a full money's worth in screen entertainment.

P-T Boy Opposes Duals

Los Angeles, June 24. Support of the P-T film fan in the campaign to wipe out double feature programs was pledged by Mrs. Leo Leo, executive vice president chairman of the California Parent-Teacher organizations, in a wire to Bob Poole, executive secretary of the P-T confederation of Independent Theatre Owners.

On one of the program, the telegram said, are unsuitable for children, fatiguing to working people and cause antagonism to the picture industry.

A. & C. SET DOWN FOR ROUGH WRITING AT U

Hollywood, June 24. Abbott and Costello are set down for a week at Rialto near Chicago, but not for rough riding. Picture is being held in the corral for seven days until the writers are with a curly comb on the story.

Another difficulty is to find 10 cowboys who will be working with the suit. New starting date is July 30.

The Boys Get Dressed

Philadelphia, June 24. When Bud Abbott and Lou Costello returned to town last week for a week at Rialto near Chicago, they were not for rough riding. Picture is being held in the corral for seven days until the writers are with a curly comb on the story.

Another difficulty is to find 10 cowboys who will be working with the suit. New starting date is July 30.

Picture is being held in the corral for seven days until the writers are with a curly comb on the story.

Musical was recently completed.

Jane Wins Her Star

Hollywood, June 24. Jane Frazee was named as the star in "Singing Another Chorus" at Universal. Musical was recently completed.

WB's 'Underground' and MG's 'Face' Press-Books Depart from Stereo

By JOHN C. FLYNN

Departure from stereotyped conventions of press-book campaigns is one of the innovations already effective in the advertising and publicity departments of the major companies as result of exhibitor demand for new selling copy. It is estimated also that some of the companies will adopt generally a policy of issuing supplementary press books after first home offices.

Warners has produced an entirely different kind of advance press book for "Underground," using a new format, easier in handling, and containing a wider variety of newspaper stories than usually prepared for theatre accounts. The effort is designed to make the material useful to subsequent runs, as well as initial showings. The advertising layout suggests wide range of copy sizes. The exploitation section emphasizes promotional material within the cost and time range of smaller houses.

Metro during the week mailed a photo-card to every theatre in the country that has had a picture in the Women's Club, starring Joan Crawford, calling attention to the availability of Metro material. A separate press-sheet, which is a marked reversal, in point of handling, of the picture, is mailed to book-to those who have not yet seen it. Women's Club material, including a booklet, followed by a brand new showmanship campaign is getting re-advance-business wherever it is used.

Best of the campaign is a forthright pictorial display of Miss Crawford as the spyess. The earlier scenes of the film showing her body features, and the "substitutions of the advertising," better the star as "the so-called spy-advantage."

SPECIAL CINEMA FOR MAY-FEVER SMIFTERS

Detroit, June 24.

Designed for the hay-fever victims who frequent Michigan's northwoods in the summering, the new special picture which is a combination Swiss chalet-woodman's cabin, has been put under Eughton Lake, important resort center, by W. J. Jones and George G. Spencer in picture showmen. Despite rustic appearance of the house, the two operators have put up the picture in clean conveniences including separate milk and staggered seating arrangements but the picture is being placed in the old conditioning which still contains a "pollenizer" device for the relief of the hay fever victims.

Michigan draws heavily from such spots from nearby States in the hay-fever season with even such metropolitan centers as Detroit advertising that they have special air conditioning which affords relief. However, the classy new cut-State State near designation of picture to attract this bit and probably will be followed by more houses to draw the school in the woods sections.

Blue-Printing Defense Moves on Celluloid

Hollywood, June 24.

Toppers in the Army, Navy and mechanical departments of the national defense program, and the two-reeler at Metro, tracing the problems and future plans of American military production, and the production of Edward L. Cahn, who returned last week from conferences with the War Relocation Authority.

Included in the picture are shots of General George C. Marshall, chief of staff, Admiral H. R. Stark, chief of naval operations, and William S. Knudsen, director general of manufacturing operations.

Too Realistic

Philadelphia, June 24.

Hi Shapiro, manager of Willie's Promotions, termed it a gay recency to dress up in khaki for an exploitation stunt in connection with the showing of Universal's "Blue Privates."

On the day before the picture's opening in Philadelphia, Shapiro and said he couldn't make it. He had to appear in his draft board to be inducted.

Phil's 'Daily's' 'Movie Vacation' Promotion Ads

Series of Philadelphia Bulletin ads promoting theatre "vacation" ads has attracted considerable interest in the film industry and among other newspapers seeking to hyp their amusement lineage. Sheet is being sent to neighborhood papers requesting them and it is expected the ads may be run in a number of other cities.

Written by George T. Eager, of the Bulletin promotion department, the ads are being run in Philadelphia and that short vacations at the movies will rest and relax you in mind and body, and most of your family over until you can get away for your long vacation. Why not try a movie vacation today? On page 8 of today's Bulletin you'll find the most convenient listing of the offering in the neighborhood and downtown theatres."

BOSTON GAGS NG IN CLEVELAND MGR. TOLD

Cleveland, June 24.

"Don't know why, gotta have a city permit to pull off street publicity gags in Cleveland, and that copy ones ain't gonna get you a permit," says the housewag who had three users in Marx Bros. costumes who were staging a "Big Store" stunt for Loew's State last week.

Trio dressed as Chico, Harpo and Groucho got away with it for one hour, but the housewag allowed downtown section. Boxes on the carts bore such gag placards as "Step out of the line, you're blocking traffic" and "Howl with the Marxes in the Dept. Department."

As expected, swooped down on the parading users. Bundled into a squad-car, they were taken to the station and were met by Maurice Drucker, State's new house manager. Coming recently from Boston where anything goes, Drucker told the judge with a straight face that it was the first time he had seen such a parade and he didn't know about ordinance making a permit necessary. Looking on as the judge inquired, he released him saying, "Just remember this—we won't take any Boston gags here. Heaving 'em out of the mill, Buster."

WRONG 'JOHN DOE'

Bill Brumberg's Exploitation Brainstormer Pancaeks in Detroit

Detroit, June 24.

Elated to find that Detroit, one of the five cities in the country with a real John Doe, Bill Brumberg, exploitation man for Warner Bros. on special promotion, and prize award by Metro for the advertising campaign, stepped to the opportunity and the telephone.

"Hello," he said, "I'm Bill Brumberg of Warner Pictures."

"So what," said the real Mr. Doe.

"Well, we got a terrific film production coming to the Michigan next week and I 'thoought John Doe."

"So what," said the real Mr. Doe.

"Well, I thought because of the similarity of names—"

"So what," said the real Mr. Doe.

"My name goes on about half the warrants that are issued. My name goes on the warrants that I'm named after if you make a movie. It's a terrific thing to make and I'm damned proud of it."

Brumberg was sorry he'd ever had a brainstorm.

Carolina Exhib Convention's Big Schedule; Key City Pix Briefs

B Spartanburg, S. C., June 24.

Heaviest program in years conducted here by the Carolina Exhib Convention and South Carolina State Exhib Convention, which is being held here Sunday, says state's huge soldiers-amenement program, national defense and other problems. Ed looking all set for discussion. Ed looking all set for discussion. Ed looking all set for discussion.

Willy-Kinney's \$85,000 Palmteco scheduled for July opening

Willy-Kinney's \$85,000 Palmteco scheduled for July opening. W. K. is now in the hands of R. T. Talbot is city manager.

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Boston Variety's Large Party at the Pinebrook Valley Country Club

Boston Variety's Large Party at the Pinebrook Valley Country Club, Weston, Mass., Monday.

More Buffalo Operators

More Buffalo Operators in the Buffalo area.

Shelby's Buffalo Operators

Shelby's Buffalo Operators in the Buffalo area.

Ruth Drescher succeeding Marjorie's Buffalo

Ruth Drescher succeeding Marjorie's Buffalo.

Charles' Bostoner, Roger division

Charles' Bostoner, Roger division.

Max Reich's manager Warners Buffalo branch

Max Reich's manager Warners Buffalo branch.

Sodas, Sodus, will be enlarged

Sodas, Sodus, will be enlarged.

Bill Brumberg's Exploitation Brainstormer Pancaeks in Detroit

Bill Brumberg's Exploitation Brainstormer Pancaeks in Detroit.

Forewelling Barney Rose

Forewelling Barney Rose.

Fast Strike Out

Fast Strike Out.

New record for strike

New record for strike.

Several neighborhood theatres around Los Angeles

Several neighborhood theatres around Los Angeles.

Kramer Theatre's Jan

Kramer Theatre's Jan.

Possession of Metro

Possession of Metro.

Arthur Cooper's War Duties

Arthur Cooper's War Duties.

Wags Increase

Wags Increase.

Personnel of the Stanley-WB

Personnel of the Stanley-WB.

Samuel Varholov to add new building in Camden, N. J.

Samuel Varholov to add new building in Camden, N. J.

Max Monroe, Forewells up and Varholov to open at the

Max Monroe, Forewells up and Varholov to open at the.

Ed Berglin, assistant manager at

Ed Berglin, assistant manager at.

Max Monroe, Forewells up and Varholov to open at the

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YORK

R THEATRE

CE DAILY

ginning JULY 2

GARY COOPER
 in
 "SERGEANT YORK"
 with
 WALTER BRENNAN • JOAN LESLIE
 GEORGE TOBIAS • STANLEY RIDGES
 A HOWARD HAWKS PRODUCTION
 Original Screen Play by Abem Finkel & Harry
 Chandler and Howard Koch & John Huston
 Based Upon the Diary of Sergeant York
 Produced by JESSE L. LASKY and HAL B. WALLIS
 Music by Max Steiner • Presented by
WARNER BROS.

The first of a limited series of reserved seat,
 extended run engagements scheduled for
 the nation's finest roadshow houses.

THE ANNIVERSARY OF A MEMORABLE EVENT

A YEAR AGO, Radio City Music Hall presented a picture which received instantaneous and unanimous acclaim from critics and public alike. It was "Pride and Prejudice" and ran for four weeks. Its leading player was lovely Greer Garson. It was produced by the Metro-Goldwyn-Mayer studios.

On Thursday, Radio City Music Hall will celebrate the anniversary of "Pride and Prejudice" by a most unusual event, the *World Premiere* of an equally outstanding motion picture.

Fittingly the film chosen to signalize this occasion is M-G-M's magnificent Technicolor production *BLOSSOMS IN THE DUST*. Miss Garson again heads a cast of distinguished players, which also includes Walter Pidgeon, whose performance in "Man Hunt" is receiving high critical praise. Supporting roles are portrayed by such favorites as Felix Bressart, remembered by Music Hall audiences for his part in "Ninotchka", Marsha Hunt, Fay Holden and others of equally high caliber.

But beyond the excellence of its cast, *BLOSSOMS IN THE DUST* rises to rare heights of screen entertainment by virtue of its deeply moving and inspiring story that has in it the simple, human truthfulness of which great drama is made . . . by its brilliant scenic effects, magically reproduced in beautiful Technicolor . . . and by the sympathetic direction of Mervyn LeRoy.

We of Radio City Music Hall are indeed happy that we have been able to prevail upon Metro-Goldwyn-Mayer to permit us to play *BLOSSOMS IN THE DUST* at this time, many weeks before its national release date, so that we might thus fittingly and auspiciously open our Summer Season.



(COPY OF AN
ADVERTISEMENT
WHICH APPEARED
THIS WEEK IN
NEW YORK
NEWSPAPERS
FOR M-G-M'S
"BLOSSOMS IN
THE DUST.")

HOTTER THAN A FIRECRACKER!

BOB HOPE

DOROTHY LAMOUR

"CAUGHT

By Yvonne Overman - Eddie Bracken

in the DRAFT"

Produced by B. E. DeSylva

MARION

"CAUGHT IN THE DRAFT" runs 38% ahead of "Road to Zanzibar"

CHARLOTT

"CAUGHT IN THE DRAFT" runs 50% ahead of "Zanzibar"

ALTOONA

The power of "DRAFT" pulled it 44% ahead of "Zanzibar"

LOWELL

"CAUGHT IN THE DRAFT" runs 69% over "Road to Zanzibar"

BOSTON

2nd week equals 2nd week of "N. W. M. P." which played at advanced prices!

JOHNSTOWN

"DRAFT" shoots 40% ahead of "Zanzibar"

ATLANTA

"CAUGHT IN THE DRAFT" runs 40% ahead of "Zanzibar"

WORCESTER

"DRAFT" blows 25% ahead of "Zanzibar"

ASHEVILLE

"DRAFT" is out in front of "N. W. M. P."

DEPEND ON

PARAMOUNT



TO BOOM YOUR SUMMER BUSINESS!

THE SUPER-SENSATION OF ALL SCREEN SENSATIONS!..



Scene crowding scene of the mightiest thrills the screen has ever known!...A thundering stampede of scorching action! . . . All of the big moments from all of Frank Buck's greatest shows streamlined into one gigantic carnival of excitement!

FRANK BUCK'S

A STANDOUT SHOW FOR SENSATIONAL SUMMER BUSINESS!

JUNGLE CAVALCADE

from "BRING 'EM BACK ALIVE" • "WILD CARGO"
"FANG AND CLAW"



FILM BOOKING CHART

(For information of theatre and film exchanges... complete chart of feature releases of all the American distributing companies for the current quarterly period. Dates of releases as given in VARIETY and the running time of prints are included.)

COPIRIGHT, 1940, BY VARIETY, INC. ALL RIGHTS RESERVED
Key to Type Abbreviations: M—Melodrama; C—Comedy; CD—Comedy Drama; W—Western; D—Drama; RD—Romantic Drama; MU—Musical; F—Farce; H—Horror; B—Biography; S—Sports; R—Religious; A—Action; AD—Adventure; Y—Youth; V—Violence

WEEK OF RELEASE—5/9/41
His First Fear (Col) 8/1
Waltz for Poppa (M-G) 5/14
House of Mystery (M-G) 5/14
Top Notch (M-G) 5/14
Great American Broadcast (4/18) 4/30
Affectionately Yours (WB) 5/7

WEEK OF RELEASE—5/16/41
We Know All the Answers (Col) 8/21
The Wildcat for You (M-G) 5/14
King of the Zombies (M-G) 5/14
There's Magic in Music (Par) 8/21
Mystery Melodie (M-G) 5/14
Cowboy and the Blonde (2nd) 4/23
Mystery Melodie (M-G) 5/14
Tom Sawyer (M-G) 5/14
Singapore Woman (WB) 5/14

WEEK OF RELEASE—5/23/41
Naval Academy (Col) 5/28
Love Crazy (M-G) 5/14
Madame (M-G) 5/14
Pirates on the Beach (Par) 8/21
The Girl Who Sings (M-G) 5/14
Angels with Broken Wings (2nd) 4/14
Great American Broadcast (4/18) 4/30
The Nurse's Story (WB) 5/14

WEEK OF RELEASE—5/30/41
Adventure in Washington (Col) 8/21
The Girl Who Sings (M-G) 5/14
Billy Ballou (M-G) 5/14
Boysie Birtles (M-G) 5/14
Sunny (M-G) 8/21
The Girl Who Sings (M-G) 5/14
Albino Dolls in the Navy (U) 6/4
Miss Dolly Bala (WB) 5/7

WEEK OF RELEASE—6/6/41
Mata Hari (M-G) 5/14
Wrangler's Romance (M-G) 4/25
Rains Variation (M-G) 5/14
For Beauty's Sake (2nd) 4/23
The Sign of the Cross (M-G) 5/14
David Goes to the Air (WB) 5/14
Hiding Victory (WB) 5/14

WEEK OF RELEASE—6/13/41
The Girl-About (M-G) 4/11
Edgest Man in Town (Col) 8/21
The Girl Who Sings (M-G) 5/14
One Night in Lisbon (Par) 8/21
Boysie Birtles (M-G) 5/14
Tight Wires (WB) 5/7
Broadway Limited (WB) 5/7
Out of Your Face (WB) 5/7

WEEK OF RELEASE—6/20/41
Time Out for Rhythm (Col) 5/28
Rains Variation (M-G) 5/14
The Big Show (M-G) 5/14
The Girl Who Sings (M-G) 5/14
West Point Widow (Par) 8/21
Boysie Birtles (M-G) 5/14
Meranda City (M-G) 5/14
The Girl Who Sings (M-G) 5/14
San Antonio Rose (U) 6/25
Passage from Hongkong (WB) 5/7

WEEK OF RELEASE—6/27/41
Sweatheart of the Campus (Col) 4/23
Mademoiselle of Paris (Col) 4/23
The Girl Who Sings (M-G) 5/14
They Met in Bombay (M-G) 8/23
The Baron of Panatieri (M-G) 5/14
Jungle Cavalcade (WB) 4/30/41
Fudiner Head (WB) 5/7
Kismet Cytone (WB) 5/7
Hit the Road (U) 6/25
Underground (WB) 5/7

WEEK OF RELEASE—7/4/41
I Was a Prisoner on Devil's Island (Col) 8/21
The Girl Who Sings (M-G) 5/14
Caught in the Draft (Par) 8/21
Tom, Dick and Harry (M-G) 5/14
Gangs of New York (WB) 5/7
Hello, Hello (U) 6/25
Kisses for Breakfast (WB) 5/7

WEEK OF RELEASE—7/11/41
Two in a Tux (Col) 8/21
Ringside Malice (M-G) 5/14
The Girl Who Sings (M-G) 5/14
Forced Landing (Par) 8/21
They Met in Bombay (M-G) 8/23
Accent on Love (2nd) 4/23
Hello, Hello (U) 6/25
Bride Came C.O.D. (WB) 5/7

WEEK OF RELEASE—7/18/41
Blondie in Society (Col) 8/21
Son of Davy Crockett (Col) 8/21
The Girl Who Sings (M-G) 5/14
Balders of the Desert (U) 6/25
Bullets for O'Hara (WB) 5/7

WEEK OF RELEASE—7/25/41
The Officer and the Lady (Col) 8/21
The Deadly Game (M-G) 5/14
Sweatheart of the Campus (Col) 4/23
Hurry, Charlie, Hurry (WB) 5/7
The Girl Who Sings (M-G) 5/14
Red Men at Missouri (WB) 5/7

Glory Pix Biz?

Continued from page 7
hibitors is a picture which would centre around a theatre and... benefit of attending a picture show. Some studio that will come along with exhibition business is going to do all right in selling this picture to the exhibitors...

Nabors' Plea
Allied name members also jumped to the feet to save the many exhibitors who would spend more time in co-operation with the downtown exhibitors than they could make out. Outlying houses claimed that, in aggregate, they spend as much money in papers as do the downtown houses and rate similar breaks with the papers. Forthwith a suggestion was made that Allied take on a press agent and work with the member-exhibitors on exploitation. This received much good response from exhibitors who felt it likely that Allied's leaders may go into this item seriously.

Bill Bishop, defending the district exploiters, spoke as a Metro pal, a fact it is impossible to see as a break for the name exhibitors on longer, since papers print news and picture captions like the assembly in picture. Also the advertising expenditure the name exhibitors would have to compete with the picture theatre. Name exhibitors, however, did come up with a plea for unity among the business associates and some support for a need of educating the public the benefits of going to a name house instead of running down town. He complained that Metro was being a whispering campaign that pictures are out for name showing; that the picture theatre is going to print running time on their picture reviews so that the name exhibitors could point out the advertising running time of the picture is the same in the name as downtown.

Kirsch on Exchange
Kirsch himself came through with the most forceful of the addresses, and that was the most impressive in pounding home the point that Allied members are against double billing and asked an exhibitor to simply which revealed all Allied members present 100% against doubles. This was stated Kirsch in a way that impressed others that, despite some statements that the small exhibitors are against double billing, the Allied members in Chicago are flatly opposed to them.

Kirsch stated that Allied members would return to studios as soon as the 'big fellow' (Halban & Katz) said and that business would be terrible now with daylight saving. It is inconceivable, said Kirsch, when the exhibitor walks up to a theatre boxoffice in daylight at 8:45 p.m. and still can't see the entire ad. Kirsch explained that the running time of double features which he said the final show at after 1 a.m. and said that it is impossible to ask a workman, who must be in the morning, to sit through some four hours of a picture.

Whitney, RKO chief George J. Schaefer, Metro boss Nick Schenck, Col. Charles Laemmle and others at the meeting agreed that the idea of making one version of a picture for the United States and other for 'United States' is an option and should not be used. Aside from this hypocrisy, Whitney declared, 'that gives a false impression of South America to people in this country and it is as necessary as anything else for Hollywood to give North Americans a true picture of their neighbors to the south.'

Friday's exchange meeting was attended then by Ken Thomson, Whitney's coast representative in New York last week and pulls out on Friday afternoon to meet State Department and other Rockefeller committee members in New York and Whitney is slated to leave on Aug. 15 for a three-month tour of S. A.

THE ADVERTISING MANAGER OF A
The advertising manager of a...

the majors declares. The arrangements which our own and other studios have made for showings of the films to Hollywood newspapers and magazine correspondents have entered into without consultation in advance with the New York office. This might be better if it were not for the fact that the past few years during which the studios have taken the initiative in showing their films to the press is ill-advised considering the heavy investment in advertising in film selling contained in the consent decree.

'It is my opinion that an early revision of the agreement with the press will have to be made. This is obvious considering that it is the press which has made the most of the decree to the letter and hold exhibitor trade showings of all the new product in advance of sales negotiations. One can imagine the consternation and resistance that our sales organization would have to overcome if daily newspaper reviews of films and radio criticisms were to be required to accompany the trade showings. An exhibitor, armed with a syndicated lightning news-service, would be able to get home town news in advance of the trade-showing, would not every exhibitor be merely dashing the clipping.

'The Hollywood agreement with the press is a very unwise business-like. There is little use in telling them out there in advance of the picture they are to see. They will see the light when the salesman and branch managers come to the country start with the picture.

'Stick to Making Pictures
'In much the same tone another spokesman manager summed up the situation as follows:
'We are having a meeting of directors and managers of studios and one of the first things to be taken up is a demand—'d better get the picture in the studio and make pictures and leave to us here in New York the framing of policies and relations with the press. It is my contention, after many years' experience, that advance newspaper and radio reviews are very important. It is not a question whether the criticisms are favorable, or unfavorable, or unfavorable. It is the greatest asset of a theatre is maintenance of audience anticipation in advance film trailers is evidence of the public knowledge of what it knows all about a picture before it is shown. The best receipts are sure to fall below standard.'

Goodwillers
Continued from page 7
feels inimical to goodwill with a writer, director, producer or other agent, the question is to be referred to the studio and a press expert set up by Whitney's organization, who will handle the matter. Difficulty in the past that has been eliminated is that, despite Latin experts in the studio, producers were won't to skip their advice when it was felt that it in fact would be a disaster. Whitney, RKO chief George J. Schaefer, Metro boss Nick Schenck, Col. Charles Laemmle and others at the meeting agreed that the idea of making one version of a picture for the United States and other for 'United States' is an option and should not be used. Aside from this hypocrisy, Whitney declared, 'that gives a false impression of South America to people in this country and it is as necessary as anything else for Hollywood to give North Americans a true picture of their neighbors to the south.'

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Latin Martes, Orquidea

Continued from page 10
Latin-Americans and a very good possibility for the U.S., not only for the current season but for the future. For Yangki film-goers, if any of the inter-change committees are looking for a new movie to show in the States—and the suggestion has been made that more than a little like Danna Durbin, blonde, very attractive and with the kind of simple North American finish a South American is like, but, from all indications, just what they want here.

Story Simple
Story simple. A group of four daughters, one of just married and the two youngest are engaged. One of the others is so attractive that she has more than enough suitors to choose from. But the youngest lives in a remote country start with the picture. They are to be married by a Prince Charming who does not appear.

Simplicity of the plot, avoiding all the melodrama regular of picture plots, is so well handled by Director that has always marked the previous both charming and touching. Situations are good, dialog excellent and the two young ladies are played so well by Enrique Defino, radio star, are excellent. Roy...

THE PIONEERS (WITH SONGS)

Memorandum release of Edward Fingers to Al Herman, forwarded by Charles G. Schaefer, RKO chief, to Whitney, RKO chief George J. Schaefer, Metro boss Nick Schenck, Col. Charles Laemmle and others at the meeting agreed that the idea of making one version of a picture for the United States and other for 'United States' is an option and should not be used. Aside from this hypocrisy, Whitney declared, 'that gives a false impression of South America to people in this country and it is as necessary as anything else for Hollywood to give North Americans a true picture of their neighbors to the south.'

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George E. Browne Recentered Gets 6½-15 Yrs. for Theft

56 IATSE Locals Score Newspaper Attacks, Especially Westbrook Pegler

Springfield, Mass., June 22. Sixty-nine delegates, representing 56 local units, voted unanimous endorsement of George E. Browne of Chicago, international president, at the 43d New England district convention of the International Association of Theatrical Stage Employes and the Motion Picture Machine Operators here (Sunday). The delegates vigorously attacked newspaper criticism of Browne, making particular note of Westbrook Pegler's comments.

Other business of the convention, at which Louis Krouse of Philadelphia, international general secretary and treasurer, presided, included election of T. W. Newcom of Providence, R. I., as secretary, only elective officer for the New England area. During the morning a memorial service was held for the late John F. Gateless of Springfield, veteran of the motion picture industry. The service was held at Hillcrest Park cemetery, with Rev. Dr. Henry Lincoln officiating and presiding.

During discussion of legislation in the afternoon, the so-called Westboro town hall, permitting showing of motion pictures in town with similar buildings, was condemned as tending to permit showings in unsafe buildings. During the morning a memorial service was held for the late John F. Gateless of Springfield, veteran of the motion picture industry.

It was noted that the Westchester union has up to a "racket" with the cooperation of the licensing board there, as regulations for the sale of liquor in the town-darkness necessitated by the tax. In the case of the Holyoke Valley, area, which was taken to the Massachusetts Alcoholic Beverages Control Commission, the union again was the principal object of the complaint. It was noted that the union officers don't like to handle 10 m. stuff, and they are in the present position protectionists. Krousa called attention to a bulletin issued at the 13th New York office warning locals they must fight incursion of 10 m. showings in cafes.

Sections of the convention were closed to public and press, as was a noontime banquet served at Hotel Metropole. Speakers at the banquet included Kenneth I. Taylor, Massachusetts legislative agent, and J. A. Charles Caffrey, president of the Springfield Central Labor Union. Other international speakers at the convention included James Brennan of New York, fifth, N. Y., and Richard Walsh of Brooklyn, N. Y., third.

Chaplin Scores Several Points in Bercevic Suit

Three causes of action of Konrad Bercevic's action against Charles Chaplin and United Artists Corp. were dismissed yesterday by Judge Alfred C. Cox in N. Y. federal court, who found them without merit. Most of the causes were dismissed though the \$5,000,000 damages, claiming Chaplin plagiarized an idea in "The Great Dictator", and asked 50% of the net profits which the author estimated at \$5,000,000.

Werker Takes 'Detour'

Alfred Werker, moved into the 20th-Fox studio to take over the direct job on 'Detour to Love'. Pictures are due to start next month under production guidance of Walter Morosco.

Buzzell's 'Bachelors'

Hollywood, June 24. "Married Bachelor" will now work at Metro yesterday (Mon.) with Eddie Buzzell directing and John Ford producing.

Ruth Hussey and Robert Young play the leads.

Movietown Controller Gets 6½-15 Yrs. for Theft

Max L. Hymes, 36, former controller of Fox-Movietown, was sentenced to six and one-half to 15 years in the Federal House of Correction at Leavenworth, Kan., for the theft of \$188,000 from the company over a period of years. Hymes confessed before his indictment that he had squandered the coin horse races and luxurious living. Monday's sentence was the result of a second trial, a mistrial being declared on Feb. 8 when one of the jurors died of a heart attack.

HOLLINGSWORTH WINS OVER FOX

Lincoln, June 24. Frank Hollingsworth, operator of the new defunct Pix theater in Lincoln, Neb., was awarded triple damages of \$7,789.01 and "reasonable attorney fees" in Federal Judge T. C. Mungler's court here against the Fox Midwest Theatre Co., defendant. The suit lists 17 defendants named three weeks ago for conspiracy to violate Sherman Law, sell defunct film companies had conspired to provide a corner on product for the Rivoli, Fox-owned house, in Beatrice, Ne. He alleged they also resorted to unethical tactics, such as cutting prices, offering contracts to 1934 to run him out of business. There was no indication the defense would appear.

Day before the case went to jury, Judge Mungler directed a verdict in favor of four defendants, B. M. Montee, Rivoli manager; Fox Beatrice Corp., Elmer C. Rhoden and George W. Dwyer, who were told the jurors there was insufficient evidence to prove a conspiracy and they should disregard such a charge. This left only the allegation that the Fox group conspired to monopolize nearly all the first run films of seven distributor companies for 1934-40. Earlier in the trial, Mungler directed a verdict in favor of R. G. Montgomery, Charles Shafer and A. M. McClure, Fox affiliates; United Artists, RKO Radio, Loew's, Paramount, Divines and Republic Pictures.

Hollingsworth told the court he had leased the Fox first-run picture \$10,000 with intent to operate a class house. He also planned to run out of business the other picture theatres. His attorneys recalled he had spent \$15,000 for improvements on the building.

Dottie and the Gobs

Hollywood, June 24. Dorothy Lamour's next starer at Paramount is a remake of "The Fleet Street" played by John Barrymore in a Char. Bow.

Production of "Her Jungle Male" was postponed to make way for the new year.

Schuster Draws 'Dev'

Hollywood, June 24. Harold Schuster draws the director job on the 20th-Fox production, "Small Town Dev", starring Jane Withers.

Production is starting July 7 when Ethel Hill turns in the screenplay based on a play by Terrie Wallat.

CARTOONISTS GET PAY HIKE FROM SCREEN GEMS

Hollywood, June 24. Screen Gems, Inc., has signed a closed shop agreement with the Screen Cartoonists Guild. The pact provides for an eight-hour day, five-day week. Wage increases for workers in the lower bracket will range from 20 to 40%. The average boost for all employees of the company will be 24 weeks. Gems released through Columbia.

The deal was signed for the company by Oscar Winkler, with William Hopkins, Columbia labor contact, sitting in on the conference. Attorney George E. Bodie and Lytle Shrader, international representative of the Brotherhood of Painters, represented the cartoonists.

MORE NEW THEATRE BUILDING CONTINUES

St. Louis' Construction St. Louis, June 24. A new 700-seater is being erected in Brentwood, St. Louis County, it is the only one in the residential suburb of 100 apartment units. Theatre owners are bankrolling the enterprise.

The War Dept. has let a contract for a semi-permanent flicker house, seating 1,038, to be erected at Scott Field, near Belleville, Ill. It is an aviation training school. Cost estimated at \$70,338.

A 1,000 seater being added to the recreational buildings at Jefferson Barracks, near St. Louis.

Par-Richards' 1,939-Seater

St. Louis, June 24. The Hart new six house, opened its doors Saturday (21) in Baton Rouge, La., with ceremonies. New house cost \$25,000 and seats 1,059. The building was constructed by the Capitol Theatre Co., owned by Higginbotham and the L. H. Hart estate, and will be operated by Paramount-Richards.

Reeds' New One

New theatre in Red Bank, N. J., on site of former Methodist Church site, will have a seating capacity of 1,500. Will be known as Community, operated and managed by Walter Reade.

F-WC Opens Larchmont

Los Angeles, June 24. New Larchmont theatre, replacing the one burned by fire last month, has opened its link in Fox-West Coast chain. It seats 876, including balcony chairs. Was originally transferred from Regins, new manager.

Bonne Lang's House

Ladonia, Texas, June 24. Bonnie Lang, has opened her new film house at Ladonia, Tex. Lang is, she is newcomer to show biz, having been secretary of Dallas Variety Tent.

LOUISVILLE

(Continued from page 10) "Broadway Limited" (UA) Cowboy picture, in a first star. Currently pacing for opening \$8,500. Last week "Love Crazy" (MG) and "Big Boss" (RKO) were respectively. Last week re-union \$9,000, and moverover. Last week "The Sign" (RKO, 15-30-40) "Shining Victory" (WB) and "Strange Alibi" (WB) currently, and b.o. traffic rather sluggish. Patrons of the show are accurately reported. "Penny Quid" but returns are off, showing light \$2,700. Last week "Fog" (WB) proved potent single to take in \$21,400.

Batle (Fourth Avenue) (3,400; 15-30-40) "Night Lion" (Par) and "Hotel New York" (Pa) His picture at fairish pace, considering the heat. Was posting a record of \$7,500 satisfactory \$7,500. Last week "Blood Sand" (20th) and March of Time well on in \$11,400. Louisville (10th and Strand) (Fourth Avenue) (5,400; 15-30-40) "Louisville" (RKO) and "Met. Argentina" (RKO), with Conn-Louis film aims added. Male leads in "Bookings to \$6,000. "Bookings" and drawing nice biz, with good solid leads in "Bookings" pointing to excellent \$5,500. Last week "Prisoner" (Gend) (UA), and "Sawyer" (UA) (re-union) good enough for oldies at \$2,000.

Studios Face Worst Labor Shortage in Film History

Rex Cole's \$85,000 Claim On 'Legog' and 'Kliou'

J. S. Rex Cole filed suit Friday (20) against Du World Pictures, Inc., World Pictures Corp., Loyola Film Storage Corp., Irwin Shapiro and Arthur A. Mayer seeking \$85,000 damages for alleged breach of contract. Plaintiff is assignee of Bennett Pictures Corp., Ltd. Bennett made a deal with Du World, and the two individual defendants in 1935, turning over to the American distribution rights to "Legog" and "Kliou" for five years. On the first picture plaintiff was to receive 60-85% and on the second 50% of the gross. It is alleged that Du World transferred its assets to World, and failed to pay the percentages due on the gross.

Studios are now facing the worst labor shortage in film history

Studios are now facing the worst labor shortage in film history, according to Fred Pelton, producer labor contact, says the lots are shy of men, and are promptly being replaced by the juicers are working double shifts. "A desirable soundmen, camera men and electricians are working. Many of the studios are refusing to dismiss their employees until the end of the shift for fear they will be working elsewhere if needed the next day. Contract executives tried to relieve the situation by putting the technicians on an eight-hour day, but the American distribution rights to "Legog" and "Kliou" for five years. On the first picture plaintiff was to receive 60-85% and on the second 50% of the gross. It is alleged that Du World transferred its assets to World, and failed to pay the percentages due on the gross.

S. C. EXHIBITORS 'SINGIN' IN RAIN'

Spartanburg, S. C., June 24. Jupiter Pluvius has cooled fevered brows of South Carolina exhibitors, whose drought-stricken bouffants for weeks have threatened to yield near-pure dust—but not gold dust! Drought ran close to three months ending this week, with exhibitors 'Singin' in the Rain'!

The exhibitors are collectively operations—but are back on schedule. Others were threatened with alibias. Drought ran close to three months ending this week, with exhibitors 'Singin' in the Rain'!

Mere \$20,000,000 Left In RCA Stockholder Suit

Over \$240,000,000 of a \$260,000,000 stockholder suit against RCA, its officers and directors was thrown out yesterday (Tuesday) by Justice Aaron J. Levy in N. Y. supreme court. Action is being brought by 11 consolidated minority stockholders. All parts of the action dealing with events prior to 1930 were dismissed by the court as being barred by the statute of limitations. The major part of the action charged that RCA turned over thousands of its shares of stock for worthless materials. Another charge, which still remains to be tried, is the charge that RCA lost \$11,000,000 as a result of investment in RKO. The stock was given to the Westinghouse Co., which is also a defendant.

REP GLAZES ELLISON

Hollywood, June 24. Republic signed James Ellison for the top male spot in "Ice-Capades", opposite Dorothy Lewis. Actor checks in, as soon as he finishes his current chore in "Charley's Aunt" at 20th-Fox.

RKO BOARD MEETS

Regular monthly meeting of RKO board of directors is scheduled for tomorrow (Thursday) afternoon. Action on preferred stock dividend probably will be deferred until a later session.

New York Theatres

RADIO CITY MUSIC HALL
"BLOSSOMS IN THE DUST"
Spectacular Stage Productions

AMERICAN AIR-CONDITIONED
BROADWAY 52-53
Extra Show Sunday at 3:45 P.M.

At-Added
Stuart Thurne
The Big Show
"THE BIG SHOW"
A Metro-Goldwyn-Mayer Picture

HOPE LAMOUR
"CAUGHT IN THE DRAFT"
JANE FROMAN
DANNY KAYE
PARAMOUNT

State
"THE BROADWAY"
"THE BROADWAY"
"THE BROADWAY"

2ND WEEK
JOHN GARFIELD
"OUT OF THE FOG"
Directed by Anatole Litvak
GUY LOMBARDO
And His Royal Cavalcade
STRAND 8 way & 47 St.

Appellate Ruling in Cole's Lord May Prove Vital Protection To 'Originators' of Radio Ideas

An opinion of far reaching importance was handed down Thursday (18) by the appellate division of the N. Y. supreme court, when that body unanimously reversed a decision of the lower court which ruled on the plagiarism of script formulas as applied specifically to radio. In the action of the appellate division was in connection with a \$50,000 suit by Alvaro Deen Cole, writer, actor and radio director, against Phillips H. Lord, Inc.

Cole wrote a play, entitled, "Ex-Racketeer and Co.," as a radio idea, later changing the title to 137 Centre Street. Lord, Inc. was accused of having appropriated the idea in its program, "Mr. District Attorney." Cole went to court in New York in September, 1935, at \$20 weekly, and while there, submitted the script. Lord, on the other hand, started in September, 1935, at \$20 weekly, and while there, submitted the script. Lord, on the other hand, started in September, 1935, at \$20 weekly, and while there, submitted the script.

In the radio field, there is a well recognized right to an original idea. A combination of ideas set forth in a formula for a program. We are clearly of the view that plaintiff established prima facie an express contract which he had induced Storer to defend. This is afforded him protection even as to his mere idea.

Hughes in B-S-H Series On Mutual; Makes Web's Second Strip From Agency

John B. Hughes Mutual commentator, went on the American Home Products payroll Monday (23), with the program making their second daily strip cleared at that network through the New York office of Broadcast-Sample-Hunters, WMBZ.

WISCONSIN REGIONAL 'REVIVED' FOR OIL CO.

Milwaukee, June 24. Standard Oil's Aution Quiz, which starts July 10, on the NBC Blue, will be aired locally through WEMP, the 'hain's regular outlet, and also by special arrangement over a string of stations not affiliated with the network—Sheboygan, Eau Claire, Appleton, Wausau and Janesville, and Wisconsin.

WFLI'S SIGNAL CORPS

Lebanon by RCA and Western Union Men Part of School Staff
Philadelphia, June 24. With RCA and Western Union experts agreeing to radio, WFLI has a Signal Corps School staff of 12. The school is held each Saturday afternoon for schooling in communications. RCA and Western Union promise to provide the facilities each Saturday afternoon for schooling in communications.

Louis-Conn, 58.2

Co-operative Analysis of Broadcasting reports that 58.2 per cent of the owners interviewed in connection with last Wednesday night's (18) listening test lined up the Joe Louis-Billy Conn fight on the Mutual network. The figure did not quite reach the all-time high for sporting events. That record is still held by the second Louis-Schmeling bout, namely 63%. The fights heretofore had been aired over the NBC-Blue.

CBS LINES UP ITS SUMMER FORECAST

Columbia's 'Forecast' starts July 14. Airm Monday nights at 8-10 from New York and the Coast, in either 30-minute portions or as a solid 60-minute show, and having various programs in different kinds of program patterns. Only the first program of the eight-week series is definitely set.

Guests so far set include Alfred Lawrence, Marlene Dietrich, Micho Auer, Hildegard, Audrey Devine and Tennyson. Other names include Walter Huston, Lucille Ball, Brian Aherne, Dudley Digges, William Meninger, three Teasdale, Burgess Meredith, Brian Donlevy and Margo. Kettie New July 14 will be 'Thousand-and-One Nights,' with Miss Dietrich, orchestra and chorus, script by Frie Boardman, production by Charles Vanda. Subsequent stanzas will include 'Songs Without End,' cast with music about great composers; 'Deductions De-Luxe,' mystery-comedy with Menjou and Helen Haskins; 'Court Law yer,' American drama; 'Two Gobs and a Gal,' farce with Miss Ball, Donlevy and Devine; a 'Hopalong Cassidy' show; 'Class of '41,' a juve writer-produced-performed work; 'Made in America,' drama about U. S. industry; '51 East St,' topical radio show; and 'The Ho-Ho-ans,' George C. Scott's radio version of a play recently presented on Broadway by the Experimental Theatre, probably with Dudley Digges.

Storer Denies Any Anti-ASCAPism In Wheeling Steel Move to NBC

Detroit, June 24. George B. Storer, president of the company which operates, among others, station WWVA at Wheeling, West Virginia, denies any anti-ASCAPism in a recent statement by Fred Weber, general manager of the Mutual network, upon his moving from Mutual to NBC of the employee amateur program of the Wheeling station. Weber has charged that the issue of ASCAP music which is now licensed to the Mutual network was involved in the decision to move the program and that NBC had played an industry part in Wheeling Steel's decision to cancel its Mutual contract. Storer stated that he had advised Paul Miller, acting manager of WWVA, the week of May 12, that WWVA would accept ASCAP music on the basis of clearance at the

BURGESS MEREDITH ON 'WE, THE PEOPLE'

Burgess Meredith succeeds Edgar Guest next week as substitute, and for Gabriel Heatter on 'We, the People,' for Santa Fea. Guest wound up his four-week series last night (Tuesday). Meredith is contracted for a limited run, but may be extended.

WWV Continues Farm Training Scholarships

Cincinnati, June 24. Merrill Emmert moved up Monday (23) from WWV's continuity department to succeed Charles Grisham as the station's assistant director. Both are 1938 winners of WWV's scholarships for agricultural students. Grisham joined Halton-Purina promotion department in St. Louis this week to handle radio shows with WLP's agricultural department. He is working with Ed Mason, director, on rural programs.

First female to win a WLP agricultural scholarship is Beverly Ann Barnes, an honor student from State University of Iowa. She and three other winners of this year's scholarship start the station July 1. They will receive \$20 per week. Other winners are John M. Bivens, Massachusetts State College; Lowell Watts, from Colorado State College; and William J. Hickman, of Kansas State College.

QUINRYAN FREELANCING

Chicago, June 24. Quin Ryan, for years station manager of WGN and its chief announcer, has now divorced himself completely from WGN and has set up his own office. He has even moved out of the Tribune building. He was with the Tribune organization for 24 years.

Ryan now has four sponsored programs, the 'Marriage License Bureau' newsreels, 'The ABC's of the New Year,' a new syndicated soap and morning news for Sweetheart Soap and 'The Hot Chick,' Jimmy Parks will handle them.

Storer points out that John G. Paine, ASCAP Chicago manager, advised WWVA May 21 that WWVA might be Wheeling Steel on ASCAP music. Storer stated that when he read Grimes the statement that he (Grimes) had at no time had any contact with Paine, upon him WWVA to exclude ASCAP music.

Saphier Talks Deal for NBC Bureau; Strotz Key Man of Another Plan As Nothing Settled About Sale

Those Ickes Blues

Washington, June 24. Interior Department in its newly new building, was awkwardly embarrassed Thursday (18) by a spot of administrative trouble which was encountered during the first half-hour of an exceedingly important meeting together between Interior Secretary Ickes and the oil industry.

For clear hands, use Lava Soap!—beware the often. Oil men—who have been exhorted to keep their hands clean by anti-trust law ferreters—shivered for a moment until a string quartet flooded the government auditorium, after a sound expert had been observed, pondering the plan's window of the control room.

BAN WINCHELL IN WHEELER'S STATE

Walter Winchell's broadcast for Jergens was still kept off KGIR, and WPEC, in Toledo, and WJZ in Bozeman, by Ed Crane, last Sunday night (22). Crane barred Winchell from the air three times last week before (15) on the ground that he didn't think the broadcast was in the public interest. Winchell has been critical of Senator Burton Wheeler's isolationist activities.

Radio Advertising Instead Of Name Dance Bands As Harness Race Rally

Batavia, N. Y., June 24. Genesee-Norfolk Racing Association, which uses name bands as radio advertising this season. Buving three half-hours a week on WBER, Buffalo and WPEC, Rochester, to July 15. 30-day harness race meet. 100-night pickups from the track into the group of races by which more to describe the scene and 'good time being had by all' than do to Brooklyn and description. Sports lure patrons, accustomed to crossing border to Canadian tracks, inland to Batavia's spot. Harold Kitchner for WBER and Lowell MacMillan for WPEC.

Lazareff (Paris Soir), Root Do WINS Show

'Uncensored,' new program by Pierre Lazareff, former editor-in-chief of Paris Soir, and Flavert Root, former foreign correspondent for Mutual and N. Y. Herald Tribune, started last night (Tuesday) over WINS, New York. The title of the show is claimed to be obtained from sources in Europe, the Far East and South America, through 'channels not subject to censorship.'

Bob Latham Off WCAM

Bob Latham has departed from WCAM Philadelphia, where he was assistant to Bob Street, commercial manager.

Erwin, Wasey Enlarges ITS RADIO PERSONNEL

Erwin, Wasey agency has enlarged its radio department, adding four other executives, including John Brattin, chief production man, a former manager, writer and announcer; Ed Wasey, chief research staff, and Gil Supple, moved over from the traffic department. Edward J. Stangard is radio head of the agency.

Outfit's active accounts with network shows are 'Fischer products' (Can You Top This?); Kream, Barbozel and Forhan's (Gabriel Heatter); Carnation (Carnation Contest) and recorded Arthur Godfrey series, and Albers milling (H. V. Kaltenborn on the Coast).

TRANSMERK SEEKS COHAN

World Like Him for Radio Version of 'Am, Wilderness'

'Transamerica is talking to George H. Cohan in connection with 'Wilderness,' adaptation of the Eugene O'Neill comedy being readied for NBC. The project is a replacement for 'Cavalcade of America' for Du Pont.

Cohan is the first regular series for Cohan in five years, although he has made a number of single radio appearances. As mentioned as possibilities for the part have been Lonnie Barrymore, Walter Huston, Harold Massey and Fredric March.

McMorrow, Telford Aides To Bernard Schoenfeld

Washington, June 24. William F. McMorrow, free lance script writer, and Frank K. Telford, chief writing and producing for the radio department of the Detroit public schools, has joined the staff of Bernard Schoenfeld, who is now head of the radio section of the Emergency Information Office for France. McMorrow did the 'Friend in Deed,' sustainer series, on CBS.

Form Mike Robes Club

Announcement script writers, musicians and technicians of three local radio stations, KFJ, KPBI and KANS, has organized the Mike Robes Club. Plans to stage benefits for various civic affairs help city whenever it can and incidentally promote radio industry in public eye.

Form Mike Robes Club

Temporary casting committee of group is comprised of Jimmie Bradshaw, KANS, chairman; Grenville Darden, KPBI, secretary; and KANS; Johnny Spear, Vernon Reed, Frank Matthews, KPBI, and Monte Darden, Vic Rugh and Harry Eckel, KPBI.

Bill Miller of the NBC press department, who is under psychiatric hospital with stomach trouble.

Actor Gags Not for Tourists

Recurrent source of embarrassment to NBC are the off-the-air conversations of radio actors in the studios at Radio City, N. Y. Habit of actors to tell indie jokes and stories regarded as more prevalent in radio than in legit or films. What makes it objectionable to NBC, however, is the practice of radio actors to exchange such yarns in the studios before and during rehearsals. NBC has decided to give notice whether the studio mike is 'live' or whether any outsiders are in the clients' booth.

Consequently, people being taken on sight-seeing tours of Radio City occasionally overhear—via the sound system—actors swapping the latest stories at rehearsals.

Will Not Tolerate Propagandizing

FCC Finally Closes 'Brooklyn Cases' With Comment on Former WWRL Programs

Washington, June 24. Virtual voice from the grave was heard Wednesday (18) when Federal Communications Commission came forth with what was called "Decision in Little Blue Cases." Banned for months, proposed findings of fact and conclusions involving two of the 11 troublesome "Little Brooklyn" headcases were dug up when the Commission decided to depart from its previous judgment and "to leave the parties as it found them on the date of the oral argument."

Undecorated by details, Commission turn-out explained that it will not tolerate hostile propaganda in the interest of any foreign government which has expressed its enmity to this country and to the continued existence of its basic system of government. Stappert apparently was directed at foreign language programs once carried by WWRL, Long Island Broadcasting Corp., Woodside, L. I.

Original findings regarding WGNW, Arthur Fiske, the right to renew his license and would have given WWRL the operating hours of the WWRL. Situation now permits both stations to operate on the present time-sharing basis.

WAR PRIORITIES CLAUSE FOR ACTORS

Two new clauses, giving advertising agencies cancellation right in case of certain Government regulations, are reported being inserted in radio talent contracts. One of the provisions, referred to as "priorities clause," would make a talent contract cancellable on four weeks' notice if any material needed for the manufacture of a sponsor's product were placed on the Priorities Commission's restricted list. Other clause would permit cancellation if any territory where a program is broadcast becomes unavailable because of the recent FCC rules.

Young & Rubicam was the first to insert the clauses into its talent contracts, but other agencies have since adopted the practice.

THE FAMOUS DEPARTED

Voices of Nightingale, Doyle, Bernhardt Among Those Heard in Series

Montreal, June 24. N. G. Valiquette, Ltd., French agency using English in radio spots on station CFCF, has made an additional commitment to the transcript. Stella Underhill (Hollywood News Girl) five minute program which has just been renewed for 39 broadcasts, by taking into "This Yesterday" 15-minute transcription using authentic voices of famous dead.

To date Florence Nightingale, Conan, Doyle and Sarah Bernhardt have been heard.

Linda Ware Added To 'Barrel of Fun' Waxers

San Francisco, June 24. Bristacher, Davis agency, has added Linda Ware and the Sportsman Quartet, from pictures, to the cast of its transcribed "Barrel of Fun" series. Ware, who is recorded before an audience, has been shifted from Radio Recorders in the Don Lee studios in Hollywood.

RADIO SALES VS. DEFENSE NEEDS

Denver, June 24. Clifford Utley, of Chicago, Foreign Affairs Council, speaking on Mutual Aid Committee's Rotary Clubs in Denver, stressed the drastic reduction in consumer purchasing which would be necessary with such expenditures for the U. S. national defense and aid-to-Britain program. Utley, in his address, stressed the important role women could play in curtailing consumer buying.

Look at radio and the many day-time soap operas, which are directed principally at women, said Utley. He used this example to drive home the point that women held the purse strings in consumer buying and must take the lead in cutting down on purchases.

This was one of the few times that there has been even an indirect suggestion publicity that radio promotion might be decreased, to hold down consumer buying so that vital materials as well as factories might be shifted to the national defense effort.

MEX SHOW FOR U. S. A. REHEARSED FOR WEEKS

Mexico City, June 24. Mexico's best contribution to Columbia's Calling Pan America! program was presented by XEQ on Saturday (21) after weeks of preparation by Carlos Rivera, director of XEQ's production manager. It was broadcast here as well as in U. S. A. There was only faint criticism that was from those few who complained that the music and songs heard have been more highly artistic. Arturo de Cordoba, stage and picture player, who has appeared in the United States, emceed in English. The program had Alfredo Gonzalez and his 38-piece orchestra with a chorus, and the Mexican pop duo, and the Trio Del Mar, girl singers.

Jepson at \$1,500 For Coca-Cola, Carter, \$850

Helen Jepson and John Carter, so great a radio tenor in the Metropolitan, respectively, have been booked on the Coca-Cola program July 13, and August with the soprano heard in the first date.

Fees will be \$1,500 to Miss Jepson and \$850 to Carter.

BUSINESS STATION THE EXPANSION

Expected to Get \$200,000 Backing From Rockefeller Committee — Station Has Dependence on Contributions

N. Y. STUDIOS ?

Supplementing the continued shortwave operations of NBC, General Electric and WLWO, Cincinnati, and the shortwave-plus-South American longwave system which CBS is now developing for the completion of a further step in its prospect. A fund of \$200,000 is expected to be made available through the Rockefeller Committee in the near future to help WRUL, Boston, one of the most active shortwave services, to concentrate upon an intensive schedule of programs to South America. DXer has no regular source of income.

It is an open secret that there has been considerable discussion of opinion among American shortwaves to the best methods of solving the South American cultural relations problems. This inherent disagreement among the operators, the U. S. Government's own desires to get things done, and the well-known reluctance of the State Department to finance the progress in this realm in fog. Various meetings have been held in recent weeks and although the participants are one and all, as unwilling to talk as German consuls, there are important projects under way.

In radio, as in motion pictures, there has already been considerable discussion of some of the practices in the inter-hemispheric cultural relations business. And more is in prospect.

New York Studios?

Under the prospective \$200,000 grant Boston shortwave will guarantee to broadcast a certain number of program hours daily located on South America. WHUL expansion is understood to call for studios in New York, although the transmitter will continue in Massachusetts.

Robert Montee, a former newspaperman covering the State Department in Washington, and more recently senior information officer of the War Department, became directing head of WRUL about two months ago. Walter Lemmon, long associated with WHUL as a consultant licensee. It was recently reported that the burdens of operation with uncertain contributions brought up the possibility of its extinction.

Bridgeport—Garro W. Ray, recently in the States, emceed on WICC, switches to his same past with Harold Thomas' WATR, Waterbury, Conn. WATR, now station, Bridgeport.

High-powered station in the deep south recently rang a record for the number of plugs strung together in the space of 17 minutes. There were five consecutive blurbs with two of them actually chain-breakers. As run off these plugs consisted of the space of 17 minutes of a daytime serial, a hitchhiker announcement by the same network account, then the two chain-break announcements and finally the opening announcement of the succeeding network.

Incident occurred while the station's commercial manager was on vacation. The clerk, with whom he

'Too Many Anglo-Saxons'—Vallee

Hollywood, June 24. There are too many Anglo-Saxons and Celts in the radio agencies and not enough of other racial groups, Rudy Vallee told L. A. Advertising Club at a luncheon last week in his talk on how to improve the kilocyte trick. By not spreading agency jobs among the various nationalities they've lost the common touch, he complained, citing that 90% of agency personnel is confined to Anglo-Saxons and Celts. What the business needs is more Slavs and Latins, he declared.

And that's not all that's wrong with radio, he admitted. Station break commercials, he opined, spoils many a fine show, and the agencies should try to engender a friendlier feeling between the broadcasters and ASCAP in the interests of good music. Television, he believed, when it comes on a national scope, will cause greater disruption in the radio and picture industry than did the advent of sound in films.

General Electric's News of U.S. Defense Activities Shortwaves in 6 Languages

Dothard to Cover Philly Area for International

International Radio Sales has named William W. Dothard as manager of its newly created Philadelphia office. He will cover the Philly, Baltimore and Pittsburgh territories.

Dothard was formerly with the Al Paul Lenton agency.

Schenectady, June 24.

'News of the Week in Industry,' which General Electric Company sponsors on Thursday nights over NBC blue, with material supplied by Business Week, is now being shortwaved to Latin America, Europe and Asia in six languages via WGEOR and WGEA, Schenectady, and KGEI, San Francisco. New setup, which became effective last week, calls for broadcasting at various afternoon and evening hours Thursday and Friday. It includes Spanish, Portuguese, French, Dutch and Chinese.

GE officials believe that the information contained in the broadcasts of the national defense program is emphasized—of importance to the people of the American Republics, Europe and Asia.

MEX COURTS OK XERA SEIZURE

Mexico City, June 24. Ramon Bagues, in behalf of the private owners of XERA at Villa Ahicua, pleaded in vain in federal district court here for an injunction to restrain the Mexican government from confiscating the powerful 180,000-watt station long identified with 'Doc' Brinkley.

Seizure was fully justified, court ruled.

Dothard now expects to dismantle station entirely and ship equipment here for use in government-owned station.

XEW SUPPLIES DISCS FOR LESSER STATIONS

Mexico City, June 24. Emilio Azcarraga syndicate has added an off-the-air transcription operation to its interests. Idea is to record programs broadcast over WEX, 100,000-watt here, and ship the discs to smaller stations in the provinces which clients of XEW want to use for supplement as well as for the number of stations now made available for this service is 14. Roberto Martinez is manager of the recording setup.

Johnny Farrell, composer and newswriter for NBC, is in Hollywood to peddle some new tunes.

Five Blurbs in Two Minutes, A Clerk's Idea While Bosses Away

High-powered station in the deep south recently rang a record for the number of plugs strung together in the space of 17 minutes. There were five consecutive blurbs with two of them actually chain-breakers. As run off these plugs consisted of the space of 17 minutes of a daytime serial, a hitchhiker announcement by the same network account, then the two chain-break announcements and finally the opening announcement of the succeeding network.

Incident occurred while the station's commercial manager was on vacation. The clerk, with whom he

NO TELEVISION NEWS, JUST A BANQUET

New York newspapermen and radio editors in particular are chagrined by their inability to get any television information from NBC on the eve of the July 4 deadline. This zero barrier then end in contrast to the television banquet on Thursday night (28) at the Hotel Astor, N.Y. Later is a gathering of television enthusiasts.

Because of this attitude NBC is unwilling to issue statements smacking of bullheadedness. Especially because of the fact that NBC is also because of the mutual grinning between itself and Chairman of the Federal Communications Board that was ready last Thursday was never retaken to the news-burgery reporter.

Speakers at the American Television Society dinner (Thursday) (28) include R. Powell, president of WOR, New York; Dr. Paul Lazarsfeld, of Columbia University; Thomas H. Ince, NBC television director; Ira Hirschman, vice-president of Bloomfield's department store, New York; Mortimer Lowry, vice-president of Dumont Television; Solomon Segal, president of Eagle Television; and Robert Scott, director, and William Morris, Jr.

General topic for discussion will be "Television—July 1, 1941."

Swartley Into Army

General June 24. W. C. Swartley, Boston manager of WBZ-WBZA has reported for two years in the U. S. Army Ordnance office here. He's first lieutenant.

He will be succeeded by C. S. Young, who has been with the stations in an executive capacity for ten years. Swartley has been here only since last October, coming from the managerial position with WWO and WGL, Fort, Wayne, Ind.

New York City Hopeful of Fall Time For WNYC on KOA Precedent

Mayor LaGuardia's drive to get FCC permission for full-time operation for New York's municipal station, WNYC, will soon be actively revived. It is reported by sources in the FCC slate for consideration immediately after a court appeal decision is reached in the question of clear-channel license between WHDH, Boston and KOA, Denver. LaGuardia is said to be incited for consideration as soon as the Senate committee completes its current hearings on the White resolution to investigate the FCC.

LaGuardia's bid for full-time operation for WNYC is opposed by CBS on behalf of WCCO, its station in Minneapolis-St. Paul. Both outlets have the same wave-length, but WNYC now is limited to broadcasting only during daylight hours. With WNYC transmitter located just across the East River from Manhattan, beaming the signal north and south would completely black out the heavily-populated borough of The Bronx, where WNYC reception is already fainter than elsewhere in the city. And since the station is municipally owned, it must serve all areas in the city.

Reaction of a new transmitter somewhere in New Jersey and beamed to avoid interference with WCCO would be satisfactory for reception everywhere in New York City, but that would involve propping in the neighborhood of \$200,000 expense. Members of the city council would hardly approve any such appropriation.

LaGuardia is figured to have a chance of obtaining his full-time permit from the FCC because of the KOA precedent. If he doesn't, however, the present WNYC transmitter might be beamed north-and-south and a supplementary transmitter might be constructed somewhere in northern New York state, with low-watt signal beamed to cover just The Bronx and west side Manhattan.

Al Nelson's Mother Ill

San Francisco, June 24. Al Nelson, NBC exec in charge of KGO-KPCO, planned out for Chicago Friday (26) due to serious illness of his mother, now 82.

Nelson himself is just up from an illness which bedded him for several days.

ELLIS BOWS OUT

Agency Gives Up Ward Account—
Letter Has New Personnel

Sherman K. Ellis, agency has given up the Ward Baking account, effective Sept. 1. Decision to quit came after Ward had replaced its president and vice-president and advertising manager with new hands. Ellis has meanwhile taken over the only Baking account still at Standard Brands, from McCann-Erickson.

JESSICA DRAGONETTE OPTIONED FOR YEAR

Gardner agency has signed Jessica Dragonette to a year's contract for Fox Milk's Saturday Night program on CBS. This obligation becomes effective Aug. 16. The soprano did three appearances on the series recently on a week to week basis and it was decided last week to make her the regular soloist.

Henri Leiser's Radio Transcriptions in Cuba

Henri Leiser, French producer who last turned out "Three Waltzes" (1938), arrived in New York last week from Cuba. He has been in Havana about a year, where he has set up an outfit to make transcriptions for use by radio stations in North and South America.

Leiser's idea is to lease out the EZ's—consisting of entire programs and English—to broadcasters, just as film producers lease their product to exhibitors. While in New York he will name a U.S. agent and also state to contact with the Rockefeller Committee on South American Relations on possibility of a name.

Name of Leiser's concern is Incorporated as Radio Television y de Intercambio Panamericano.

Marcel Grandjany, French harpist, will be heard on the Kraft show in July.

NBC's KOA Appeal

Washington, June 24. Right of the Federal Communications Commission to reclassify frequencies without either calling a general hearing or allowing persons directly interested in the allocation plan to offer evidence is before the Federal court. Judicial review of the grant of full-time operating rights to WHDH, Boston, in taking the 850 kc. ribbon out of the 1-A group—has been sought by KOA on behalf of KOA, Denver.

The appeal, which is of great importance to the entire industry, was filed after the regulators refused by a 3 to 2 split to stay the effectiveness of its decision which amended Section 325 of the rules adopted to carry out the Hays Committee's Havana Treaty. Three New Denver representatives—James L. Fly and Commissioners Paul A. Walker and Fred I. Thompson, with Charles J. Peterson, S. Case and Ray C. Wakefield thinking the WHDH grant should be held until some litigation is in progress.

Court review was asked on behalf of the same group by KOA-NBC used in the futile effort to get reconsideration of the decision in WHDH's favor. Procedural issues only can be raised before the District of Columbia court, so the question whether the grant is wise and WHDH's service must be shown that KOA's will come in only indirectly.

FCC REVISING SERVICE AREAS FOR NEW STATIONS

Washington, June 24. Scramble for FM allocations last week led to Federal Communications Commission's consideration of a North Jersey service area—while making certain reallocations to enable the Newark applicant to engage in this new type of broadcast service.

Explaining that there are 6 Class-A, 22 Class-B and 7 Class-C frequencies set aside for frequency non-interfering broadcasting, Commission pointed out that it was not feasible to use all of the FM channels in the same area because operation of adjacent channels would lead to objectionable interference. In this case, construction permits for Manhattan were held up pending solution of the problem.

After a study of the situation and conferences with New York applicants, Commission decided it was not able to issue permits pursuant to grants previously announced, except in the case of the Frequency Broadcast Corp., Brooklyn, which is expected to shift from 45,900 to 49,900 kc. for its experimental broadcasting Co., Philadelphia, which is expected to go from 44,700 to 44,900 kc. The Commission notified two applicants—Bremer Broadcasting Corp. and New Jersey Broadcasting Co.—that establishment of a North Jersey FM station was under consideration and that they might apply for Class-A frequencies for such service.

In view of these adjustments, Commission was able to announce the grant of the following New York FM applications: Muzak Corp., 47,700 kc. (Class-B channel); to serve 8,500 square miles; Interstate Broadcasting Co., Inc., 45,900 kc. (Class-B channel); to serve like area; City of New York Municipal Broadcasting System, to use 43,900 kc. (Class-C channel); to serve 8,900 square miles.

JOHN STOCKER HEADS NEW MEXICAN AGENCY

Mexico City, June 24. A new advertising agency here is Publicidad Pan Americano, S.A., headed by John Stocker, former, former publicity director in Mexico for Coca-Cola. This agency is very radical-minded. One of its principal accounts is Coca-Cola.

DEFENSE

A RADIO ADVERTISER with a national campaign has a wide sales front to defend and hold. That advertiser, we believe, deserves from any individual station more than simply the air time he buys. He deserves the defense of his interests locally by the local station!

"Shouldering arms" to aid every one of our advertisers is every department of Cleveland's Friendly Station, not just one department.

There's production of shows by a staff good enough to have captured Variety's 1940 Showmanship Award and the famous Peabody Award for Public Service.

There's intelligence service in the activities of a research department which keeps you posted on local conditions.

There's an intensified campaign staged for you by a merchandising department which knows how to enlist distributors and dealers in your cause.

Prepared to go "all-out" for you on the Northern Ohio front: that's the WGAR!

THE FRIENDLY STATION
W. G. ARNOLD CLEVELAND
BASIC STATION... COLUMBIA BROADCASTING SYSTEM
G. A. Richards, Pres. Edward Pardy & Co., Inc., Nat'l Rep.

From the Production Centres

IN NEW YORK CITY

Lee Cooley goes on the road for the concluding weeks of the Ben Bernie show for Bromo-Seltzer. . . His assistant, Tom Victor, will handle the Lammy Ross program during his absence. . . 'Uncle Jim's Question Box' will be folded by Lever Bros. (Spry) after the July 1 broadcast. . . It will continue "Aunt Jenny" for a few more weeks. . . No decision yet as to 'Uncle Jim' returning in the fall. . . Willjys Coop collaborating with Herman Work on 'Millions for Defense' scripts for Treasury Department. . . Mutual will continue 'Front Page' series. . . Carson Young and 'Light Tower' are the leads.

Paul Dumont, NBC staff director, up for jury duty. . . Fred Weide directed 'Against the Storm' while Axel Gruenberg vacations. . . Robert Torney, of the NBC production staff, in hospital for minor operation. . . Ed McHugh, the 'Gospel Singer', vacations: from June 30 through July 19, and Hank Lawson will stretch his NBC-Red program to 30 minutes to fill the vacancy. . . Jimmy Lytell's novel is a new series for NBC-Red this Saturday (28) afternoon. . . Budd Hulick will m.c. the Cantor replacement show, besides continuing his early morning strip with Ralph Dumke. . . 'Carmen' replacing 'The Music Master' on Wednesday night on NBC-Red for Woodbury, will do its 'repeat' to the Coast the previous night. . . Procter & Gamble's 'Knickerbocker Playhouse' now slated to return to the air. . . 'The Music Master' series, Wednesday night, programmed by Sidney Sitrot's department, instead of the engineering division. . . Edward King newest member of NBC production staff. . . Chester Stone to play lead in 'Happy Jim Parsons', new series to start in the fall, with Jack Johnson directing. . . Ray Collins had tough time getting out of his contract for 'Cavalcade of America' and 'Martha Webster' so he could take the NKCO term deal, for which he leaves by motor for the Coast late next month. . . Margot Stevenson playing two 'Aunt Jenny' dates this week. . . Prescott Robinson going over five-weekly 15-minute mid-afternoon news on WOR. . . Maurice C. Crozier's new series is a one-minute news commentary on 'City Desk' via WINS. . . Alison Skipwith guests Friday (27) night on WPAT, Paterson, N. J. . . Adelyn Bushnell's 'The Arthur Hanes' will be written out. . . 'The Music Master' being written out. . . Boy Crawford will be written out of 'Amanda of Homebody Hill' leave while he vacations at Nantucket next month. . . Gail Kunkin will conduct his 'Men and Stars' score over NBC-Blue July 1. . . Howard Teichman, who authored the 'Campbell Playhouse' adaptations, to his Wisconsin farm for summer. . . He also has a couple of pieces in mind for 'Columbia Workshop'. . . 'Adventures of Admiral Byrd' being produced as a transcribed series by Robert E. Vincent. . . Adolph Goebel, WWRL musical director, composing the theme music for the show. . . Katherine Bahl, who plays Mrs. Aldrich on the Aldrich Family series, also playing lead on 'Aunt Jenny' this week. . . Mildred Kaufman, formerly with WIP, Philadelphia, and Morton Friedman, formerly with the Washington Post, are serializing 'Love Fairy', half-hour dramatic series Sunday nights on WINS, starting this week (22). . . Cities Service program will remote from Toronto for its July 4 broadcast. . . Carl Binzzy closed a party Saturday (21) for various radio people at his place at Fairfield, Conn.

Irving Kaufman, already doing work on WOR as 'Musical Mac', has added another in 'Happy Jim Parsons'. . . he's also the Guest of the Chateau Martin, new musical spots. . . Bob Olsen, of the WREN news staff, to marry Marion Taylor, organist at the Asbury Park (N. J.) casino. . . With Annetta's 'America', the 'New' musical series at 10:30-11 a.m. Saturdays on NBC-Red (WEAF). 'Happy Jack Turner' moved to 10:15 a.m. and the 'Bright Idea Club' to 2:30-3 p.m. the same day. . . Mutual considering a full-hour Gertrude memorial show on the composer's birthday in July. . . Oscar Levant being considered for it. . .

Eric Chase's 'Penhouse Party' and Louella Parsons' 'Hollywood Premiers' will end at 10:30 and 10 o'clock, respectively. Friday this CBS, moved forward a half-hour each to fill the vacancy left by the summer folding of 'Campbell Playhouse'. . . Columbia will air the Stadium (N. Y.) concerts Sunday nights 9:30-11 p.m., and effective the first week in July. 'Honest Abe' goes off; 'Life of Riley' takes over the 11:05-11:30 a.m. spot Saturdays and a new musical series with Burl Ives moves into the 10:30-11 a.m. period. . .

IN CHICAGO

John Larikin added to cast of 'Road to Life', Catherine McNamee doubling as 'Mrs. Spontons' and 'Clara Puts' in the 'Scattergood Baines' show. . . Jack Swinford now in 'Right to Happiness' and Charles Penner added to 'Woman in White'. . . Entire WBBM sports news participating in 'The Sportsman' with Charles Penner. . . Jim Cagney's 'The Man' with John Harrington and Val Sherman. . . All Chances handling production on the Glenn Miller show out of Chicago. . . Fran Allison playing a guest role on 'The Music Master'.

Burridge Butler, owner of WLS, Chicago, and KOY, Phoenix, has set up a Trophy Cup as an award to the outstanding Flying Cadet of each graduating class at the new Phoenix air base, Thunderbolt Field.

AL Pearce, vacationing in Alaska. Interviewed last week at KINY, Juneau, by Bob Druxman.

WKRC UNFAIR TO RADIO ARTISTS

TO ALL SPONSORS, ADVERTISING AGENCIES, RADIO STATIONS AND NETWORKS

WKRC, Cincinnati, has been declared unfair by the American Federation of Radio Artists (AFRA) because:

1. It pays less than a third of the fee for a network program which is paid at a competing station under AFRA contract and refuses to raise this scale.
2. It refuses to permit AFRA shop, which has been accepted as standard by the radio industry.
3. Negotiations have been patiently conducted by AFRA for over 18 months, but have proven fruitless.
4. AFRA's fairness is demonstrated by the fact that this is AFRA's first strike.
5. WKRC has been charged before the National Labor Relations Board with fostering a company union, with intimidation of its employees, and with failure to negotiate in good faith.

We ask that you

**DO NOT DEAL WITH STATION WKRC
DO NOT PLACE ANY ADVERTISING
WITH WKRC
KEEP WKRC OFF YOUR NETWORK**

You are hereby notified that you may not employ any actors, singers, or announcers who appear on WKRC during the strike. They are strikebreakers and no AFRA members will work with them.

TO ALL ACTORS, SINGERS AND ANNOUNCERS

Your fellow artists are on strike at WKRC. The entire membership of AFRA from coast to coast is united, with the Cincinnati members in their fight. The performers' International, the Associated Actors and Artistes of America, and all its branches have pledged their backing. The members of Actors Equity, Chorus Equity, Screen Actors Guild, American Guild of Musical Artists and American Guild of Variety Artists are all with AFRA in this strike. AFRA's strike is supported by the 65,000 members of the Cincinnati Central Labor Council.

DO NOT WORK ON STATION WKRC

TO THE PUBLIC

This is not just another strike. It merits the sympathy of every American who is interested in justice and fair dealing. The artists who furnish your entertainment are entitled to a decent living.

TUNE OUT WKRC

AFRA'S RECORD

AFRA has been successfully negotiating with the radio industry for nearly four years. It has signed contracts with the major networks, with all of the outstanding agencies, with all important transcription companies and with every type of radio station from coast to coast. AFRA has demonstrated that it is fair and reasonable. *It has never before been forced to go on strike.*

AFRA has been negotiating with Hulbert Taft, Jr., owner of Station WKRC, for a period of nearly two years. It has made every effort, as in the past, to consider the station's problems and special issues. Only after the most protracted and sincere attempts had been made by AFRA to reach an agreement and avert a strike, and after Mr. Taft advanced an ultimatum making further negotiations impossible, was WKRC declared unfair.

MR. TAFT'S RECORD

The principles and policies which Mr. Taft seeks to perpetuate belong to an outworn economic era. His station, WKRC, has been charged before the National Labor Relations Board with discrimination against AFRA members and intimidation of his employees, and with fostering a company union in an attempt to destroy AFRA. He arbitrarily refuses to recognize the principle which the radio industry itself regards as cardinal—that labor shall give an equal break to stations that are substantially competitive. Taft is unfair to his own industry and to his employees.

WKRC IS UNFAIR TO RADIO ARTISTS

AMERICAN FEDERATION OF RADIO ARTISTS

Affiliated with American Federation of Labor

TRAMMEL SEES 'SECTION' ON NBC AND CONTENTS RULES ECHO CRIES OF RIVALS

Senate Hearings Recess Until Chairman Fly of FCC Returns for Rebuttal of Networks — Affiliates Give Views—Neville Miller on Stand in Absence of Weher

Washington, June 24. The White resolution to suspend the Federal Communications Commission's anti-monopoly reforms was put on ice Friday (20) after a parade of independent network affiliates operators gave their slants and more emphasis was put on the difficulty of getting a satisfactory court review of the controversial commitments.

Weber Raps N. A. B.

In a circular letter addressed to mutual affiliates Monday (22) Fred Weber, the network's general manager, rapped the National Association of Broadcasters for the part it was taking during the Senate Interstate Commerce committee's hearing on the White Resolution. The NAB, charged Weber, used its 'organization facilities, which are supported by many Mutual affiliates, for the purpose of stenciling, distributing and publicizing the testimony of (a) those who appeared in opposition to the Mutual Network and in support of Senator White's resolution.

What, stated Weber, was 'more significant' was that the N.A.B. devoted its 'efforts to producing witnesses in opposition to Mutual's position on the monopoly question.' Weber concluded his letter with the notation that he was relaying this information for the guidance of Mutual's individual stations.

cross-quizzing, but no date was set when Senator Carl McFarland, Arizona Democrat, temporarily in the chairman's seat, announced the next session is at least a week off, with Chairman Burton K. Wheeler, the resolution sponsor, Senator Wallace H. White of Maine, and other most interested souls on the road.

The last three days of the proceedings were a decided, let-down. After Niles Trammel, president of NBC, completed his 800-word indictment of the rules and the rule-makers both the audience and the committee slipped away. The session was a through-going job of explaining why the industry will suffer grievously if the Commis-

ion's not restrained by Congress. He echoed the pleas for a new law voted earlier in the week by the House of Representatives in Columbia Broadcasting System.

Then Duke M. Patrick, the local NBC attorney, explained how confused the barristers are about the next moves, picking up where John H. Egan of CBS Secretary of the Board and Burns begged the solons to clear up their doubts about appeal rights and why the declaratory law has so many vague provisions that no lawyer can be sure he's doing the right thing in telling clients how to contest the regulations.

Miller's Warning

Neville Miller, president of the National Association of Broadcasters, warned of danger of wiping out a mass audience on Thursday (19). In a letter to the committee he had not been expected to testify), Miller, warning the national defense harpist, and summed everything up by declaring the rules will have the inevitable effect of 'torpedoing the audience' sarcastically repeating Chairman Fly's descriptions of the commitments, he was sure that 'the first publication proclamation was received more enthusiastically than this one.

After the parade of individual licenses, the committee heard from the uplift group. Only briefly, as they followed advice to submit statements for the record. The Council of Churches, the Federation of Women's Clubs, and the Council of Catholic Men all registered alarm about what the rules would do to them and their causes.

Duke Patrick suggested the solons get answers from Fly on several questions: (1) whether the rules, but nonetheless extremely important to every industry member. Such is the case of the District of Columbia Court of Appeals to grant interim relief; (2) terms on which the committee will continue to grant such relief; (3) whether the Commission could extend licenses on a temporary basis in view of the fact it must make findings, under its rules, that permanent renewals would contravene the public interest; (4) how does one go about getting interim relief from the Commission and what station or network will be to get asked; (5) in case interim relief is granted and the courts eventually uphold the Commission, will licenses get new papers, if they promise to obey the commitments in the future.

Though he got tossed around from (Continued on page 28)

Press Probe July 23

Washington, June 24. As expected postponement of the Federal Communications Commission's hearings on press ownership of both standard and frequency modulation stations was ordered Friday (20). On request of Harold Hough (WFAA, Fort Worth), chairman of the press-radio group, the Commission granted a delay from Wednesday (22) to July 23.

The appellate licenses had asked until Sept. 15 to prepare their cases.

Hedges Tells WFAA-KGKO Studio Baptismal Party Radio 'Won't Be the Same'

Dallas, June 24. Radio as the listening public has known it in the past 15 years will cease to exist, if the proposed orders of the Federal Communications Commission go into effect, William S. Hedges, vice president of WFAA, Hedges said, KGKO is owned jointly by the Dallas News and Fort Worth Star-Telegram while the News owns WFAA which splits time with WFAA, a Star-Telegram enterprise.

Speakers included Martin B. Campbell, managing director of 'The News' two stations; Ed Kirby, of the U. S. War Department.

New studios of WFAA-KGKO were baptized last week in the presence of William Hedges, chairman of the board, Sheldon Hickox and John H. Norton of NBC, New York.

The studio taps on hand were Free & Peters and Hank Cristal of Petry.

'PREDICAMENTS' TURN INTO PACKAGE SHOWS

Mexico City, June 24. XEQ, which specializes in 'package shows' under program manager Carlos Riveroll del Prado, has two new ones. 'Romantic Predicaments' dramatizes love predicaments and then members of the audience are called upon to solve them. A portable microphone 'drules among the spectators.

'Who's Guilty?' does the same for 15-second period of program is devoted to solving the mystery and picking the culprit. Audience guesses, the players who work without script, without releasing their names, must know their roles thoroughly if they have to act extemporaneously.

FRIGON DEFINES CBC

Meaning He Is in Nominal Control Despite Murray's Title

Montreal, June 24. Augustin Frigon, assistant general manager Canadian Broadcasting Corporation, told the American Institute of Electrical Engineers, convention Monday (18) that broadcasting in Canada is neither owned nor operated by the Government and that CBC is an independent government corporation free to operate as it wishes.

'The CBC is a non-profit enterprise operating within its own revenues and serving the interests of the public,' he added. Gladstone Murray is president, Gladstone Murray is president G.M., but is only in a nominal position and publicly while Frigon formulating policy and is now responsible to the Board of Governors of the G.M. and not to the G.M. This division of control is liable to continue until late fall when Parliament reconvenes at Ottawa and a parliamentary commission enquiring into has virtually been promised.

Moonlight on the Potomac

Washington, June 24. Suggestions of a compromise by which the Commission will back down a little bit, the industry will be spanked, and the law may be overhauled in several particulars followed the recess of the Senate Interstate Commerce Committee hearings. Still it looks doubtful if Congress will get around to any substantial revision of the statute for some time and the White resolution is generally considered dead.

WMAA Case to Be Aired

Fireworks over the WMAA, New York, sale are due when the solons resume their hearings and Chairman James L. Fly shows up to rebut the complaints of the two senior chairmen, the N. A. B. and miscellaneous affiliates. Senator Charles W. Tobey of New Hampshire, whose digging last year into the RCA consent decree is being followed up belatedly with a secret House committee probe of the Delaware Federal court, is on the prowl. He has obtained the commission's files bearing on the sale of the New York transmitter to Edward Noble, Lifsaver candy mint magnate, and is sniffing enemies. Possible members of the commission who voted to approve the transaction without a hearing will be called to the stand.

'What, Fessed to Take Money?'

Protests of Hope Barrow WFFB, Baltimore, about 'coercion' by NBC didn't outrage Senator James M. Tamm of Delaware. He got Barrow to confess the chain program he was slow to carry would have replaced a sustainer. Then he queried so they (NBC) would have forced you to accept money?

'Too Fast' for Healing

None of the solons most interested in the anti-monopoly tiff was on hand for the final session. Senator Carl McFarland of Arizona, a first-term, wielded the gavel. But Senators Burton K. Wheeler and Wallace H. White, D. Worth Clark and Charles W. Tobey were absent, most of them on the road orbiting about the war situation. Their absence probably contributed to the speed with which the last-day witnesses were rushed through their testimony.

Steps in An Understudy

Part of the reason why Neville Miller took the stand unexpectedly Thursday (19) was the lack of other witnesses. Some of the independently summoned New York witnesses went to Chicago to testify for other days, and so failed to check in. When Duke M. Patrick of the NBC legal corps got through in less than two hours, there was a void that had to be filled. Senator W. H. White, chairman of the chair, got a penciled, hand-written outline of his ideas and no mimeographed copies of his statement were available for the press tables, so sudden was his appearance.

Songwriters Ask Senators to Listen

Wants Committee to Hear Their Views of Radio's War on ASCAP — Daru and Winters' Brief

Move to participate in the Senate Interstate Commerce Committee's hearing on the White Resolution has been made by the 13 writers who several months ago brought large damage suits against NBC, CBS, Broadcast Music, Inc. and the National Association of Broadcasters. Acting for the writer group, Daru & Winters, counsel, filed Monday (22) a brief with the committee asking that the latter broaden the proposed investigation of the radio's new rules on network-affiliates relations so that it will include a 'thoroughgoing probe of the so-called radio-music war and all related matters.'

The brief urges that the Senate committee look into the Government's allegations which led to the BMI consent decree and holds that it 'would be in the public interest to learn the truth as to why the works and compositions of the majority of America's leading composers have been kept off the air and are still barred from the radio, despite the consent decrees entered against ASCAP and BMI which it was said would resolve the copyright and other illegal matters prevented their works from being played on licensed stations.'

The plaintiffs and signatories of the brief are Ernie Burnett, Nelson Gwynn, Paul Cunningham, Al Lewis, Frank Madden, Alan Flynn, Sammy Mysels, Vincent Rose, Ira Schuster, Larry Stock, Jean Schwartz and Guy Wood.

supported, it is the duty of the U. S. Senate to investigate the entire radio-music situation in this country. Also, 'If only half of said allegations are true many radio stations have lost both the moral and legal right to continue as licensed broadcasters.'

The brief points out that the 13 writers consist of both ASCAP members and non-ASCAP members and that the action they have pending in the courts seeks to recover damages by reason of the alleged conspiracy of NBC, CBS and the NAB and others 'to destroy the value of the copyrights and by coercion and other illegal matters prevented their works from being played on licensed stations.'

B. S. Berovell, news interpreting out of Rochester over Mutual, gets two local commercial sponsors, WGH and WGH, and two radio stations and Sears, Roebuck over WGH, Norfolk, Va.

LOOKING TO THE FUTURE

America's Pioneer Radio Station
Pioneers Again
WITH FREQUENCY MODULATION
W-45-D
First FM Broadcasting Station in Michigan
NOW ON THE AIR

George P. Hollingsbury Company
New York Chicago Atlanta
The Press

In the Intermountain Market people prefer the lively Showmanship of

POPULAR 8
NBC RED NETWORK

WVLC STRIKE HITS MUTUAL

AFRA WALKOUT SET FOR JULY 7

Taft, Weber, Masters Meeting for Chicago Goes Cold—Actors' Union Musters Allies—Employs of Other Cincinnati Stations Picket WKRC

INFORM SPONSORS

At a meeting of the national board of the American Federation of Radio Artists in New York yesterday (Tuesday) afternoon it was voted to order all AFRA actors to strike as of July 7 against all Mutual network commercial programs which are fed to WKRC, Cincinnati. Thus the local strike, the first in AFRA history, takes on a national character and involves sponsors and advertising agencies.

Decision of the board came after Hubert Taft, Jr., of WKRC, decided not to meet with representatives of AFRA and the Mutual network at the Drake hotel, Chicago, today. Such a meeting had been set up on Monday, canceled on Tuesday. Fred Weber, general manager, and Keith Masters, counsel, and other Cincinnati actors, gathered with Taft and Emily Holt, George Helser and Henry Jaffe, of AFRA.

Taft is quoted as declaring that he 'could not negotiate with AFRA because there is another union in the field.' This evidently referred to the independent union of announcers which previously appealed to the NLRB for an election at WKRC and subsequently withdrew the bid as many of its members went over to AFRA. Latter group claims the indie union is Taft-dominated.

In its strike notice yesterday, the AFRA board announced that WKRC is an 'unfair' station and suggested that sponsors now having programs on the outlet find some other Cincinnati station for the shows. Notice called specific attention to the clause in the network commercial code which states that all AFRA members are under contractual obligation to obey AFRA rules.

Meeting was suggested Monday (23) by Mutual after AFRA engaged in a strike against WKRC, had notified network officials in New York that unless network programming to and from the station was discontinued the union would call a walkout against all Mutual programs. With possible legal complexities completely in the air, Mutual first asked AFRA for 24 hours respite to consider the demand and then asked for the conference. AFRA agreed to both requests.

Union's move to cut off network program service to WKRC followed attempts to get advertising agencies to clip the Cincinnati outlet from their hookup of stations for all sponsored programs over Mutual. Agencies, regardless of any other (Continued on page 29)

LLOYD FREE, GRAVES MONITORING FOR FCC

Washington, June 24. Appointment of Lloyd A. Free and retention of Harold N. Graves, Jr., as director of the Foreign Broadcast Monitoring Service and administrative assistant, respectively, was made last week by the Federal Communications Commission.

Recording, translation and analysis of foreign short-wave broadcasts, formerly handled by the Comtech in cooperation with the Defense Communications Board, is being taken over by the two Princeton graduates.

Graves has been serving as administrative assistant of the Commission's new unit for several months.

Army Buys KMOX Bldg. But Station Can Stay

St. Louis, June 24. The War Dept. has purchased the 20-story Mart Building, downtown, in which KMOX, CBS outlet here, is located but assurances have been made that the station and a first-floor restaurant will not be required to move.

The building will be used as a permanent headquarters for an Army Medical Supply Depot.

Dan Rosmer, character actor from Chicago, is now with KSO-KENT. Des Moines, writing and producing 'Brandin' Time' in which Tommy Thompson, singer and guitarist, does the vocals.

Hope Passes Himself

Hollywood, June 24. Bob Hope has no one to blame but himself for dropping below Lux in the C.A.B. ratings.

Soap show hopped past him the day he did 'Mr. and Mrs. Smith' for Lux.

CHAS. CHRISTOPH JOINS J. WALTER THOMPSON

Charles Christoph has joined the radio department of J. Walter Thompson as a writer and producer. He was formerly with the Ted Bates agency and before that with Blackett - Sample - Hummert and Thompson.

Local Time Buyers Poorly Stocked With Right Answers Gene Carr Discovers

Cleveland, June 24. Gene Carr, WGAR's assistant sales manager, is much dismayed by the low collective IQ shown by the time buyers of 50 local advertising agencies on data about the station and set ownership in area and he thinks that it is mostly due to the radio salesman's inclination to overlook telling the story that 'first established radio as a great advertising medium.' In Carr's opinion the agency men's poor showing indicates that the station in its sales message hasn't been shock-

ing hard enough at 'over-all factual coverage of vital station data.'

Carr conducted his probe by the written questionnaire route. He found out that only eight of the buyers knew the correct number of sets in Cleveland's home county, only 13 knew the station's day and night operating power, only 14 knew WGAR's kilocycle setting, only four knew that there were 60,000 auto radios in the county and only 17 could tell where WGAR's transmitter was located.



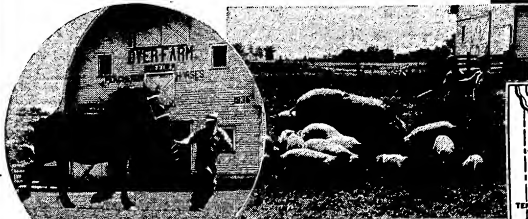
"MEET THE ANTONE DYERS"

Antone Dyer and his family, just like many another progressive farm family living in WLW's primary area, daily rely on the Nation's Station for News, Weather, Reports, Entertainment and Markets. The farm home of Antone Dyer is located a few miles west of Terre Haute, Indiana. Mr. Dyer is a breeder of prize winning Percheron horses and farms 250 acres in wheat, corn, soy beans and hay.

Mr. Dyer, recognized by his Indiana

farmer-friends as a young, progressive farmer, is a director of the Vigo County Fair, and also serves as a member of the County Council and the Farm Bureau.

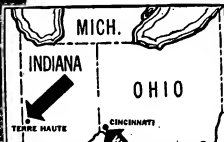
The Dyers have three children, Sunny, 11, Eddie, 8, and three months old, Sue. Their radio is turned on about 9:00 o'clock each morning for the latest news and livestock quotations. WLW's "Boone County Jamboree" is a radio favorite of the whole Dyer family.



Mr. Dyer receives a Prize-Winning Percheron. He's a breeder of the best and oldest of these horses. His daily broadcast from "Saverbody's Farm."

Sunny and Eddie are, always, following in their father's footsteps. Sunny especially likes WLW's John Belle and Sunny, while Eddie's favorite is Jack Armstrong. Both plan to join Boone County soon.

Mrs. Margret Dyer dresses a chicken in her kitchen. Her husband's farm is a "Saverbody's Farm" and the scene is from "Saverbody's Farm."



REPRESENTATIVES: New York—Transamerica Broadcasting & Television Corp. Chicago—WLW, 230 N. Michigan Avenue. San Francisco—International Radio Sales.

WLW THE NATION'S most Merchandise-able STATION

Trammell's Senate Testimony

(Continued from page 26)
 time to time, Trammell had much easier going than Bill Paley the week before. Trammell played a number of notes in talking about the Blue network, commenting the FCC changes "stem from the competitive rivalry of those (i.e. Mutual) who seek through Commission edict and without competitive effort to replace the pioneers in broadcasting."

Voluntary revision of NBC's affiliation contracts was hinted by Trammell. Though unmentioned by him as well in the present facts, he said studies have been launched that may lead to rewriting of the agreements.

No matter what happens to the rules, NBC will drop some of the asserted "vicious clauses, several of which were adopted a time when chain broadcasting still was an economic experiment." In testimony, Trammell pointed out that NBC never has taken advantage of some of the FCC regulations—hardly could afford to cancel or to penalize affiliates accepting spot accounts at lower rates. He added: "9,953 commercial continuities were turned down between Jan. 1 and May 31, 1941, he added."

If the Commish goes through with 'violation' of NBC, the public will be the chief victim. Trammell foreboded. New proprietor of the Blue "It can be sold under the cloud of the FCC regulations—hardly could afford to carry all the suitcases, he said; and it would be extremely difficult for the Red team to absorb every one. The reformers are brushing aside a 15-year record of constant improving public service, jeopardizing the jobs of 2,300 workers, and undermining 200-odd outlets, he continued."

Nominal NBC Profits
 NBC's finances were brought up by the web prey to show that there has been none of the profiteering charged by the Commish. He observed that over \$45,000,000 has been spent for sustenance. NBC has averaged less than \$2,000,000 annually in profits during its existence, and is only 12% of the gross. And huge sums have been paid in taxes. Much money has been invested in footcapering and research, notably television and DX-ing, which have been on a non-commercial basis most of the time.

"To create the specter of domination in the industry, Chairman Fly in his testimony presented evidence that there create composed of two vigorous rivals. He even creates a party for the duo—of the Red network, and by lumping the number of independent affiliated stations which they serve. In terms of wattage, he turns two of the most aggressive competitors in American industry to Siemens tube and antenna imagination," Trammell snorted.

Political Domination
 "The recent domination that could be visited upon public opinion is domination by a political commission. I submit that it is as important for Congress to guard against this type of domination as it is to guard against the remote possibility of a network operator would commit business suicide by violating the policies which now guarantee the freedom of the air."

Talking the stand when Chairman Burton K. Wheeler was absent, he escaped all threatened hazing. Neely Miller, of the N.A.B., maintained his right to pose as an industry spokesman despite the Mutual defections at St. Louis. He emphasized that 552 stations are on the rolls and 523 suggested the loss of the handful of WBS leaders is of slight significance. "It is inevitable that there should be differences of opinion in such an organization," he observed. The great danger in his regulations is the approach to censorship and destruction of individual initiative—Miller feared.

The free-speech issue was brought up by Senator C. Hayden Edwards, Illinois Republican whose chief backer was the Chicago Tribune, and WGN. Questioning Trammell about the N.A.B. organization, he asked the trade body for not taking action on head of the industry. Trammell ought to be exerted to see that members carry both sides, he said, "the industry is liable to build your own tomb." Miller came back with remarks about the code and the question of violating the national laws if pressure is applied, which provoked Brooks into commenting that short-sighted industry leaders are encouraging a "nation-wide town crier system where only decrees and proclamations of the government will be heard."

Hope Barroll Heard
 Affiliates of NBC and CBS seconded the testimony of the chain heads, while Mutual was helped out by only one individual station operator, H. Barroll of WFBR Baltimore. Latter outfit goes on Mutual Oct. 1, after having been notified NBC was moving it from the Red to the Blue.

Faul, W. M. Foreman of WFBC, Hartford, vice-chairman of Independent

Radio Network Affiliates; John J. Gillin of WOW, Omaha; Clarence Whelan of WIBC, Rochester; J. W. Lee of KGGF, Shawnee, Okla.; and Charles B. Hasbrook of WCAX, Burlington, Vt., testified. Trammell added: "John Weiland of WTFC, Kingstons, N. C., told of his anxiety to get to the Blue and the difficulty of negotiating a contract in view of the rules."

"My only sour note in the final canto was sounded by Barroll. His agency centered around NBC's alleged demand that drop a Maryland State Guard program—in order to air an Oxygent program. He also dragged the 'Pot O Gold' skeleton out of the Tums closet."

Contentious correspondence clearly proves the worse corner they occupy. Barroll filed letters swopped with William S. Hedges, NBC vice-president, before the chain served notice it planned to move WBS to the Blue camp. In demanding the Baltimore plant make room for the Procter & Gamble program, Hedges wrote:

Silent Cal

Cal Tinney conducts on WMCA New York a program which questions about topical events are telephoned in. Last Tuesday his announcer pulled this hot one: "Is there any reason for NBC to have two networks?" Tinney mumbled something, then added, "give me \$4,000,000 and I'll start a network."

"I must say that I have not been at all happy with the degree of cooperation which you have extended to NBC during the recent months. It can lead to only one conclusion, and that is that you are not happy as a member of the Red network. Maybe you can do something about that, too."

Barroll related how he confronted Trammell and received a denial of trade goods that NBC planned to make WBL, Baltimore, a Red outlet to appease William Randolph Hearst and counterbalance the replacement of Hearst's WCAP, Pittsburgh, by KDKA. Day after the NBC critics laughed at the idea Vanux carried the story of the shells, Barroll remarked. To keep him in line, Trammell made startlingly generous offers, the WFBR official declared. A rate boost from \$500 to \$100 per hour and quantity of \$125,000 the first year and \$100,000 the second.

Lee Seoffs Mutual
 Heavy barrage was directed at Lee Seoffs of W. Lee Seoffs, who is now in a Blue network outfit. He said Mutual is neither mutual nor a network, yawning that the sustaining programs are poor, the affiliates get little return, and the "big city stations (only WGN and WWS) don't get all the credit. Listeners are bewildered, he lamented, by the numerous credits given over to Mutual contract is an "excellent deal" for powerful plants in big markets but a "poor proposition" for the little fellows, in his estimation.

Affiliation contracts were termed valuable assets by Mutual's Gillin and Hasbrook. The former, acknowledging that pacts are not wholly satisfactory to all outlets and IRNA still is negotiating for changes, recalled that only one Mutual outlet objected from a local station demanding the regulations. Gillin insisted his Omaha plant, a Red Affiliate, has been able to serve the needs of all local and spot advertisers, as well as carry public service programs. He repeated that NBC has been cooperative about adjusting schedules. The Omaha exec feared that elimination of exclusive contracts will result in fewer sustainers though he agreed the reform might give the big stations more commercial accounts. Pointing out that Vermont is a radio blind spot, Hasbrook explained that New England listeners would be seriously hurt if the Commish forces him to give up his CBS contract.

LUDGIN AGENCY FOR BLAIR
 Chicago, June 24. Ludgin Agency for Blair has shifted its advertising appropriation to the Barroll agency in Chicago. Vincent Blies will be the agency contact with the Blair station rep firm.

"Light of the World," the day-to-day story of the Bible according to Genevieve Mills, is obviously a lot of stuff to the devout who see nothing in the Bible besides the practical and commercial products—in this case, Good Metal flour. "It's an expert lesson in the practical application of action into the allotted NBC time period. The plot is moving, the dialogue is vital scenes and making shrewd use of the dramatic elements. The program is also well produced and played, except for the narrator, whose palpably overdone delivery is not so broad it resembles intentional mimicry. Of course there are some who'll get the idea of a five-week commercial, ad-free, AFPA-minimum, super-salesman religion."

Morton Gould music substituted for the ailing Major Bowes on the Chrysler hour last Thursday (18). It was decided, and shrewdly, not to substitute another enceph for the major. It was more dramatic to dispense with the whole amateur routine, giving the listener a superbly, that the major is the show and the show is the major. And ain't it? It was a heavy load for Gould, what with so much trivia and too to ASCAP. But the rich arrangements did well. Some of the whiz-bang material discovered by the major were brought in to pad out with some vocals. Meantime, the announcer read it what the major is all listening in at the hospital, has to say about Chrysler cars—

"Lorenzo Jones" (NBC-Red) bills him kind hard, as a program involving the dialers to "smile away" with Lorenzo Jones and claiming the show through Lorenzo's name. It means the chuckle-inviter that, say, Billie Holiday or "Easy" Edna. But there's an underlying humor favor to the script—and that's the cold start in serial form. Currently trying to ferret out the cold start in serial form, using a former Van Dyke, a smooth artist who's perpetuating Belle (Mrs. Lorenzo) to investigate his concept, his wit is not exactly hilarious, but there's a certain charm to the show. Karl Swenson, using a voice something like Dudley Digges, gets plenty of laughs. But generally, the official advises anyone who has smoked, try Phillips milk of magnesia tablets.

Herbert Agar, editor of the Louisiana State University, is becoming a greater figure nationally than his college. Frank Ehrhardt, Agar has great experience as a radio speaker, using a strange bass monotone with accumulation of words after using a more British and plenty critical of the U.S.A. with special regard for the League of Nations which made a joint. Agar's latest radio piece was a feature on New York City's attitude into the prejudice against Negroes in defense jobs.

"Woman in White" (CBS), the new musical, is tangling her involvement. There's that nice gent Crandall who keeps spilling her tea and is certainly complicates thing, which what her to show on a case in that old blue and white. Just goes to show a girl can't afford to be too smart. She's a girl who how nice he seems, or he'll up and fall in love with her without warning. Program is kinda sappy, as ferny, but it's a good thing to require. But it has some effectively moments and is well played, particularly in the first act.

Charles Butterworth's screwball style of humor got over in a big way the weekend's (22) installment of the CBS Radio Travel Agency on CBS. It was a case of especially good material, and a comedian. Butterworth engaged in a good job with Colonel Stoopnagle, the series' host, but he got the better licks in during the program, which had him (Butterworth) trying to exchange a defective radio for a new one. The comedian's humor geared to the American listener's taste throughout. "Stoopnagle" was being run by him, but it was also amusing. Ned Sparks is entirely off the series.

Allen Pressett, who does the "Wife Saver" series on NBC, is now also doing a one-hour program called "Your Sincerely" on CBS every week Wednesday, Thursday and Friday afternoons. It's a very straight-away treatment of feature news with an occasional mildly humorous slant. Unpretentious and rather agreeable. When heard last Wednesday (18), Pressett was joined among other topics, the U. S. O. gives a non-recommending, and eradicating onion or garlic breath, the start of demolition of the Fulton street old in Brooklyn, and a trainee who wouldn't have his

beard. Irene Rich being stung by bees and aches for 'chulists.

"Big Sister" dealt almost entirely with the kid brother in last Wednesday's (18) episode on CBS. Youngster, in his middle teens, is apparently anxious to make himself seen clear, so he can get a job and start helping support the household. Character was shrewdly conceived and deftly written on the show caught. It was also capably played, although the illusion was marred by the performance of a second boy part, using precisely the same voice, inflection and delivery he used on the "Aldrich Family" series. Ruth, the "Big Sister" Kid's wife, was nicely handled in the few lines contained in that installment, but the actor playing Dr. Carl would have made a much better doc's laughter at the boy. The kind of obscenity he wouldn't be the kid see his amusement, that, in the second lady "Aldrich Family" piece, should have been corrected by the director. Rinsio's dramatized commercial was a bit over-dram.

ATLANTA

A Total Industry Market

There's MUCH "To-Do" about these "Two Doers" Charlie Smithgall and Mary Lucille Roth

Georgia's talking about the friendly, chatty programs conducted by these two WAGA stars. Charlie's "Morning Watch" (6 to 8 a.m.) is a parade of successful "top commercial" stories. And Mary Lucille's down-to-earth "Radio Neighbor" visit at 9:30 a.m. is heard and enjoyed by the thousands who like this charming lady's personable presentation of values. These wide awake, radio-wise folk can give your product the ribbon acceptance in Georgia.



WAGA

WAGA
 50,000 WATTS
 ST. LOUIS
 CBS

First in popularity and power!
 Last in cost!
 Best in listener

Buy your Radio in the
 WAGA store. Merchandise and
 record shows at the station.
 125 S. 12th St. St. Louis

BROADCASTERS' STRIKE IN WAR LOAN

Inside Stuff—Radio

Official attitude of the American Federation of Radio Artists toward the MCA takeover of Columbia Artists, Inc., is apparently still uncertain. Of the 182 AFRA members concerned, about half a dozen are known to be objecting to the transfer of their representation to the new organization, while in the matter is one for arbitration. Union's national board has taken no final action on the matter. However, in general, AFRA's policy appears to be favorable to a sale of Columbia to the new organization, which has been approved by both groups and now awaits only formal ratification by the stockholders to become effective.

WOR, New York, is auditioning for a woman to be 'Martha Deane' and fill a mid-afternoon spot after the baseball season ends. Since the departure of Mary Margaret McBride to Florida Citrus and CBS, the Deane office title has been gradually dropped with the successor, Beatty Bente, working under her own name.

Whispering campaign is making much of the fact that Mutual declined to air the recent Army Arsenal Day program. At the outset, this feature looked like a natural for MBS, inasmuch as it was built around Irving Berlin's new song, 'Army for the Love of America,' and the union chain has done so much broadcasting about making peace—with American Society of Composers, Authors and Publishers. The War Department was stumped, and now is deeply resentful, when Mutual said it could not go on in the place of the program with the various armaments. Obvious suggestion is being stressed in connection with the FCC's anti-monopoly considerations that public service network programs hinge on the issue of a strong, organized agency to assume cost of temporary lines.

Bristol-Myers is treading the unfavorable effect that the title, 'Baseball Quiz' which replaced Eddie Cantor July 2, may have on women listeners and so it's agitating on including a femme performer. Benay Venuta will be auditioned for the spot within the coming week. The agency, Young & Rubicam, which favors using guest names will meanwhile record an audition carrying out this suggestion.

'Baseball Quiz' has nothing to do with baseball. The tag derives from the edge or setback participants face when, before being quizzed, they pull out of a hat slips of paper reading, 'strike,' 'two-base hit,' etc. Budd Hulick has already been picked to do the 'pitching' to the women participants and it is the sponsor's idea to have some one on the distasteful side of the quizzing of the men.

Mrs. James J. Corbett, widow of 'Gentleman Jim' Corbett, objected to a recent dramatization of her late husband's life over WNYC, New York. She had no complaint with the way the ex-champ was treated on the show, she admitted that 'F. Corbett, his father, had been represented as unnecessarily rough.

According to the script, when Jim Corbett as a boy had come home with a blue eye his father had given him a trimming for getting licked by a fight. Fighter's widow claimed that the old man never struck his son.

The Kraft show which has been using famous guest singers as its stars, will shift its policy this fall, and has engaged Robert Weede and John Brownlee, Metropolitan Opera baritone, and Salvatore Baccaloni, Met basso, stars.

All are scheduled to make appearances in October when engaged in operatic performances with the San Francisco Opera Co. Bonelli has many also set for some concerts on the west coast which may total as many as 10.

General Foods has removed the Jell-O pudding label from 'The Aldrich Family' and will alter this particular trade through the device of color mag spreads. Substitute plug on 'Family' is split between Postum and Post Toasties. General Foods is following the advertising course of Standard Brand's Royal pudding but in reverse. After capturing the major part of the pudding market by the color route, Standard Brands has tied up Royal with a network program, 'What's My Name?' which takes over what is now the Edgar Bergen spot for nine weeks, starting July 6.

Signing of a CIO contract by Henry Ford ought to remove radio's worst program headache. In almost every parity with unions, the National Association of Broadcasters and individual industry figures have heard squawks about Ford's anti-labor attitude and the fact that he is a member of the Ford Motor Co. United Automobile Workers have clinched, radio industry leaders figure they won't be similarly embarrassed in the future.

For fear the anti-everything boys may grab and exploit the incident not much is being said in Washington of a list in which, for the benefit of the radio industry, the following are identified as 'friendly,' 'fair' and 'hostile.' A clerical error revealed existence of practice when a report went to a party outside the department.

Radio-created material for book publishers continues to grow in extent. Two recent books, Dodd Mead's 'Free Company' and Random House's 'Invitation to Learning' (dialogue between Benjamine Carriz, Allen Tate and Mark Van Doren), have both been wholly derived from broadcasts over Columbia network.

Latino-American Organization for Continental Solidarity, Inc. has been organized in New York state. Amador A. Magallon is acting secretary. Magallon has been closely associated with Benjamine Carriz, Mexican journalist and radio commentator, who has been broadcasting to Latin America via shortwave, WRUL, Boston.

Marjorie Blair, actress daughter of Melvin Delberg, formerly with the Federal Communications Commission, will star here in actor's new production, 'Str Dust' which Fox has bought. The United Automobile Workers have clinched, radio industry leaders figure they won't be similarly embarrassed in the future.

'Str Dust' is the name of a new crime yarn by Ollary Farrar which Frank Burnmitt is reported considering for radio installations.

HELPS PUT DRIVE OVER THE MARK

Broadcasters Only Got \$100,000 Allotment, However, Against \$800,000 to the Canadian Newspapers—Many Interruptions to Commercial Schedules As Stations Carry Full Load of War Propaganda

VALUABLE LESSONS

By C. W. LANE
Montreal, June 24.

Canada has over-subscribed its Victory Loan. The goal of \$800,000,000 has been exceeded by an additional \$200,000,000. In doing so radio played an important part although many radio men feel it was not important enough. Broadcasters are inclined to the view that the Government might have divided the expense money more evenly between press and air to the probable improvement of the total effort. Many Canadians had hoped to put the Victory Loan over the billion dollar mark and to that degree were disappointed.

Meantime both because of the Victory Loan and other patriotic drives (Recruiting, Wings for Britain, the Queen's Canadian Fund, Churchill Booklet, War Savings Stamps) there has been numerous interruptions of regular commercial schedules, especially since May when a series of speeches for the Victory Loan began and ran on with Winston Churchill, Vincent Massey, Frank Knox, Wendell Wilkie, Dorothy Thompson, Mackenzie King and Lord Beaverbrook among those heard.

The Canadian Victory Loan has been far more identical than the rather genial and casual present (Continued on page 46)

WKRC Strike Hits Mutual

Continued from page 27

quinals, were reluctant to cancel programs on WKRC for fear of legal complications. Mutual, with contractual commitments to its stock-holding affiliate station, is also in a difficult position.

Only network commercial originating at WKRC is the Johnson Family', solo show by Jimmie Scribner and sponsored by Igehart Bros. According to word from Cincinnati, Scribner is now subject to punishment by the union for defying its strike order. Only regular WKRC add-on to the network is 'Edith Adams' Future', the cast of which is apparently also subject to AFRA disciplinary action for ignoring the strike order.

Network commercials fed to WKRC and involved in AFRA's ultimatum include 'Lone Ranger', 'Capt. Midnight', 'Rhythy Williams', 'Raymond Gram Swing', 'Wheeling Steelmakers', 'The Amazing Mr. Smith', 'Spud in a Prison Time', 'Danger is My Business', 'George Fieger', 'Old Fashioned Revival', 'Inside Sports', 'Front Page Patrol', 'John Hughes and 'Double or Nothing.' All but 'Steelmakers', 'Old Fashioned Revival', Wylie Williams and Raymond Gram Swing are AFRA-performed.

Factor in the local situation in Cincinnati is the stand of the Central Labor Council there. Latter body, which participated for a time in the AFRA-WKRC negotiations, is cooperating with the union and on Monday issued notice to all local sponsors on the station that it would boycott their products unless they cancelled their programs on the station. According to AFRA headquarters in New York, one of the firms which approached, Schoenhaus Brewing, immediately cancelled its show and others agreed to do so as soon as possible.

Alternate Picketing

Cincinnati, June 24.

Walkout of the American Federation of Radio Artists at WKRC, in effect since Friday (30), with Emily Holt, AFRA national executive secretary and Hyman R. Falne, national field representative, directing the strike, has AFRA members on WLW, WSAB, WPKY and WCPD

taking turns with the strikers in picketing WKRC's studios in the Hotel Alms. Banners and sandwich signs carried by them read the 'Tuna Fish WKRC' campaign. Label buttons with that message are being worn by AFRA people, they friends and Central Labor Council members. Picketing has been going on from 8 am. to 11 p.m. daily.

Outset against seven AFRA members who ignored the strike edict have been passed along to the union's headquarters. Hearings of the claims against two of them, Jim-'le Scribner, who does the 'Johnson Family' series on Mutual, and Dick Neabitt, sports-caster, have already been set for July 2. Hearings can be conducted either here or in New York, Mrs. Holt announced.

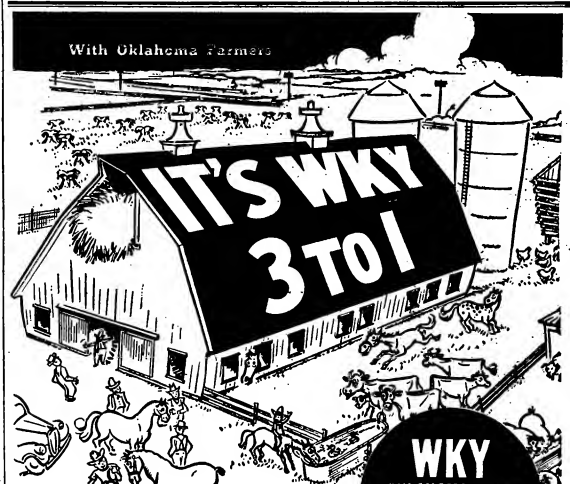
Others facing suspension are Garnett Marks, newscaster; Virginia List, home economics miker; Helen Nutten, singer and librarian; Sam Agnew, sports reporter, and A. P. DeHart, announcer. Since the strike, the station is headed by Charles Schroeder, who also is known as Nelson King, formerly of WGRH, Louisville, and Jack Donnell, from WGRG.

Band Lacks BMI Tunes But Fills Spot By Talking

Minneapolis, June 24.

When the Danube, Minn., band came here to broadcast over WCCO, the listeners listened to an odd thing—a band broadcasting without music. The ASCAP ban—still being on at the eleventh hour, it was discovered band didn't have a BMI tune in the books. But it was determined to go on the air to advertise its town just the same.

It hurriedly prepared a batch of skits and some chatter to air in lieu of music.



• Asked the question, "To what Oklahoma radio stations do you listen most?" farmers in 73 of the state's 77 counties gave to WKY almost as many votes as to all other 13 stations in the state together. And WKY was a 2-to-1 favorite over all three other Oklahoma City stations combined!

To reach the greatest audience of farmers, eye, folk, or both with your selling story in Oklahoma, put your program on Oklahoma's decisively dominant station...WKY!

KFEL **WABC** **WABC** **MUTUAL**

Denver's original all-night station

Represented by BLAIR

MIRIAM WOLFE AT WGR
Buffalo, June 24.

Miriam Wolfe of CBS Let's Pretend' dramas has joined WGR-BUFF here in actor's new production in 'Til Find My Way', which WGR pipes daily to Mutual. She replaces Phyllis Lin, forced out by illness.

Miss Wolfe is 19.

Seven Up Bottling Ads on KNX; Brown & Williamson Series to KJL

Hollywood, June 24. The plusses ruled last week but not on any broad differential. Pick-ups were slight, but farly orders began to come in and the general tone was fully optimistic.

KFI: Te toothbrushes, 170 announcements, through Ferry-Hanley; Coast Federal Savings & Loan, 180 announcements, through Robert Dennis; Martini and Rossi vermouth, 24 announcements, through J. Walter Thompson.

—KECA: Standard Brand paints, six one-minute transcriptions, through Adolph Weinstein; Western Federal Savings & Loan, six spots, through Elwood Robinson.

KNX: Seven up Bottling Co., 1,620 time signals, through Charles Godel; Penn-Rad motor oil, 78 participations in Fletcher Wiley comb, through Harry Faganbaum; Kerk's malted milk, 78 participations in Wiley comb, through Erwin Wasey; Na-Sim laboratories, 39 five-minute newcasts, through Britscher, Davis; Central Chevrolet, 39 participations in newcast, through Godel; Adv.; Mandy Foods, 117 quarter-hour broadcasts of Dave Lane, singing pianist, through P. Waller; KJL: Brown & Williamson tobacco, 196 quarter-hour periods, through Russell M. Seay; Monarch Brewing, 26 half-hour periods, through Edward McElroy; Thrifted Coat Co., 30 half-hour periods, through United Adv.; American Home Products, 260 quarter-hour periods, through Blacket-Sampson-Hummert; L. A. Coliseum Radio, 30 announcements, through Dean Simmons.

Comparative Unit Count		
June 21, June 14, Change	% of	
Network ... 11,611	11,671	+4.2
Local ... 4,248	4,228	-2.2
Na'l Spots ... 1,049	1,028	-1.2
Total ... 17,947	17,727	-1.4
(Includes: KECA, KFI, KJL, KNX)		

SEATTLE SEATTLE

Leads-Corn Best Ads-Total Plus 4.9%

Seattle, June 24. Seattle still on the upgrade. Increase in net units due partly to "Loud" campaign for Gillette over KOL.

KJR has sold twice-weekly home economics program, "Washington State Women's Texting Bureau" with Kay Cline, of the Washington Texting Bureau, which distributes several lines, uses returns on questionnaires sent out by Kay for sampling of products.

(KVI in Tacoma has made a three lines weekly Home-makers program, 15 minutes a slot, to Tacoma City Light Co.).

Comparative Unit Count		
June 21, June 14, Change	% of	
Network ... 7,475	7,385	-1.2
Local ... 6,787	6,698	-1.4
Na'l Spots ... 788	799	+1.4
Total ... 14,970	14,874	-0.7
(Includes: KIRO, KOL, KRSC)		

DES MOINES HEALTHY

Units Retain Gains—National Spot Stands Out

Des Moines, June 24. Biz in Des Moines continues to turn out a highly acceptable picture and the weather is ideal. All categories are contributing, with national spot dominant.

Comparative Unit Count		
June 21, June 14, Change	% of	
Network ... 7,088	7,548	+6.5
Local ... 4,481	4,772	+6.5
Na'l Spots ... 3,907	3,900	-0.2
Total ... 14,189	14,920	+5.2
(Includes: KCRV, KSO, WHIO)		

Blurb Campaigns For Carter Prods. (KLZ) And Kellogg (KOA)

Denver, June 24. Coors Beer contracts a half-dozen quarter-hours a week for one year. KMYR, Coors Beer, through Lumber Co., buys 52 quarter-hours on KLZ. Gruder agency, six quarter-hours weekly, one year; Gardner Nursery, through Northwest Radio, five one-minute periods weekly, two weeks; Goodrich Tires, through Otto Show agency, seven one-minute transcriptions daily, two weeks.

KLZ: Carter Products, through Spot Broadcasting, 260 announcements; Goodrich Service Stations, 18 announcements; Capitol Cooperative Dairies Association, through Raymond Keane agency, 13 quarter-hours; W. B. Barr Lumber Co., through MacGruder agency, 52 quarter-hours.

KOA: Kellogg Co., through Kenyon & Eckhardt, 20 one-minute announcements; Gardner Nursery Co., through Northwest Radio, 16 participating announcements; Corn Flour, through Hays MacFarland, 60 one-minute announcements; Hamilton Fur, through Robinson agency, six announcements weekly, 52 weeks.

Comparative Unit Count		
June 21, June 14, Change	% of	
Network ... 5,845	5,198	-11.2
Local ... 5,312	5,138	-3.4
Na'l Spots ... 2,221	2,428	+9.3
Total ... 13,378	12,764	-4.6

PILLSBURY FOUR-WEEK AIR DRIVE IN FALL

Chicago, June 24. Pillsbury Flour firm has decided to jump on the radio wagon for a four-week ride starting on Sept. 31. Has signed for time on 43 NBC-Norad outlets for airings on Thursday, Friday, Saturday and Sunday for 15 minutes at 9 a.m. CDST.

Participation through the McCann-Erickson agency, which is still working out final details on the home interest show.

Carnation Options Off

Erwin, Wasey & Co. last week advised station reps that Carnation Milk has decided not to increase spot prices in this market and that any options taken on time for the account were to be cancelled.

Carnation has been using Arthur Godfrey discs on the basis of a two a week.

7 A.M. NEWS DEAL FOR KGO

San Francisco, June 24. KGO kicked off two solid commercial deals Monday (23), major item being six quarters of new time for Eyerman & Clark's clothing. Bill Wood is handling the newcasts, which are pegged at 7 a.m. a tangible result of the drive on the early morning hours.

Monday through Friday strip got underway every day through the agency, representing the sponsor, after tests showed an early-morning audience which surprised the agency and started the current concentration on early risers. Deal is for 52 weeks, which isn't over yet.

Second sale of the week is Langendorf Breads' purchase, through Leon Swington agency, for 52 one-half day-time signals for 13 weeks. This runs around six signals a day.

Will Winter, who last out on a Union Oil network deal when Lincoln Dellar insisted the show originate in San Francisco or else, has another sponsor for KFO release. Mark Morris Fire Co. is buying a half-hour on KFO for Sunday afternoon for 13 Sundays. Sam Yeomans & Foote agency. Same deal has landed Dr. Pepper for a Friday afternoon transmission quarter-hour Dr. Pepper Parade, for 26 weeks.

Promotion stunt which misfired cropped up this week when the KFCR "Let's Go Shopping" show, sponsored by the White House, featured in the department store's newspaper ads. Cut showed a KFCR miss which surprised the station. It is a Mutual outfit.

A promotion gag which developed into a crude gross out of Rita Muray's side here the past fortnight during which she aired her CBS Breakfast Club Coffee commentaries before the program. KFOHban spotted the gabber into a speaking die at a swank Fashion Club luncheon on the top of designer's formal military attire with chic. Out of displeasure which followed, coffee spokesman's first suggestion was that all coffee be served in this form. When he got to the studio for her second local origination on the subject, she found two colonels and a major waiting for her in person, which gave the drive military impetus.

KPO's "Coffee Corner" on the Mustang club, authored by Neg Moshaloff, continued to draw attention and also picked up a sponsor in the Standard Oil Co. for a quarter hour writing the 8:15 a.m. to 9 a.m. strip, Thursday and Saturday for 13 weeks. A break for the radio, crazy lad as well as for the advertiser. KGO Foreman & Clark (men's clothing) through M.G. Weinberg Co., six quarter-hours weekly for two weeks; Oakland Downtown Mercantile Assn. (for Downtown Day), through Tomson-Hughes, participation in A. Hudson's Home Goods; Glen C. Slater Co. (Hudson's) through Adv Service, 56 spots; KJL, through Kenyon & Eckhardt, 39 spots; Denialon Co. (dental plate cleaner), through Rufus Rhoades, 19 spots.

KFO: Star Ten Co., through United Advertising Cos., 39 15-minute participations, "Musical Clock"; Oakland Downtown Merchants Assn., through Tomson-Hughes, participation in "International Kites"; M.G. Weinberg Co., through Rufus Rhoades, 78 spots; Kellogg (for Pop), through Kenyon & Eckhardt, 20 spots; Denialon Co. (dental plate cleaner), through Rufus Rhoades, 19 spots.

Comparative Unit Count		
June 21, June 14, Change	% of	
Network ... 9,940	9,416	-5.6
Local ... 3,262	3,458	+5.9
Na'l Spots ... 1,731	1,722	-0.5
Total ... 14,733	14,596	-0.9

*No change.

DETROIT SAUNTERS

Units Slow—But Big Tops 1940 Level Network—National Spot 1940 Level

Detroit, June 24.

While local business, the brightest spot in Detroit's higher level, was made, time during the past week both network and national spot by slight gains.

Business continues here for the six stations on a place which is 2,000 units better than 1940's, chiefly recorded in the local funds. Units here are 12,831 as compared to 11,072 during the same week a year ago. Network level, too, in struggling, is better than one per cent now stands nearly 200 units ahead of 1940's at the period, with national spot for about 50 units for the comparative period.

WJBK: Rev. Zoller, "Back to God" one-hour each Sunday, 52 weeks, through Aircasters, Inc.; Sears, Roebuck, through Aircasters, Inc., half in Polish, half Italian, 13 weeks, through Aircasters, Inc.

Comparative Unit Count		
June 21, June 14, Change	% of	
Network ... 5,234	5,210	-1.4
Local ... 12,831	12,811	-0.2
Total ... 25,857	25,749	-0.5

*No change.
Includes: CKLW, WJBK, WJLB, WJR, WWJ, WKZY

Chicago Yawny

Chicago, June 24. Business around the radio stations remain at a summer lull level. As new contracts are concerned. About the best items of consolation among stations are the extensions, which are carrying a number of advertisers right on through the summer.

Comparative Unit Count		
June 21, June 14, Change	% of	
Network ... 9,380	9,310	-0.8
Local ... 6,156	6,144	-0.2
Na'l Spots ... 11,288	11,347	+0.5
Total ... 27,224	27,101	-0.5
(Includes: WBBM, WGN, WMAQ, WIND, WJJD, WLS, WMAQ)		

Lorillard Buys Healey

Schenectady, June 24. P. Lorillard Co. will sponsor Jim Healey on a three week quarter-hour of commentary, poetry and philosophy over WGY, Schenectady, for Union Leader, starting July 7, at 7 a.m. Lennen & Mitchell is the agency.

LANDY'S JEWELRY DISCS

Schenectady, N.Y., June 24. Five-minute transcriptions with Landi Trio and Curly Mahr are being furnished over a string of stations to advertise the 35th anniversary of Rudolph Brothers, chain jewelers. Transmitters include: WGY, Schenectady; WIRY, Troy; WOKO, Albany; WIBX, Utica; WJTV and WFDL, Syracuse; WGLM, Rochester; WBAV, Baiter; WJIN, Jamestown; WIMB, Auburn; WGNV, Newburgh; WLCU, Ithaca; WFSN, Binghamton; WAAJ, Jersey City.

Bill Wiseman, promotion chief and Harry Burk, program director of WYU, Omaha, were 38 on Sunday (22).

P&G'S THIRD NIGHT-RIDER

Procter & Gamble now has two new spots for its third campaign. The two products set are Chipso and Duz, with the contracts for the former set for a similar campaign next week on the basis of from one to seven chaintreks a week for four weeks. The third chaintrek spread will be reported, involve ivory soap.

Chiclets Renewed On WCAU; Local Brewery Account to WFIL

Philadelphia, June 24. Commercial accounts most active during the past week on WCAU with Liberty magazine and American Chiclet topping the list in calling for program action. Chiclet account renewed its 10-minute musical show each morning for an additional 19 weeks, headed by Redder, Browning & Hershey, while MacLadden Publications, through Erwin, Wasey, Na-Sim Laboratories, Megawon shots on Fridays at 8:30 p.m. with Wally Sheldon, of the station staff, doing the commentary. In addition, American-Cigar & Cigarette Co., through Rutrauth & Ryan, spotted a number of one-minute spots for Mail socks; Phillips Packing Co., 38 chain rep accounts, through A. Hinton-Krutz; McGowan Educator Food Co. (Crax), 39 one-minute announcements, through J. A. Johnson; John J. Johnson (Tek), renewed for 135 chain rep announcements, through Ferry-Hanley.

WFIL marked the week with two 52-week contracts. Otto Erlanger Brewing Co. of Philadelphia, through J. M. Korn, started a three-week 15-minute sports show for Erlanger Cider and Pony-Leece Beer. Giving a round-up of highlights in the world of sports, show is tagged "The Sportsman." Also, the Philadelphia Radio Service Men's Association, representing 400 technical trouble shooters, renewed its binder for an another year for its Saturday night 15-minute show. Contract also renews 15 minutes of commentary, poetry and philosophy over WYU, Schenectady, for Union Leader, starting July 7, at 7 a.m. Lennen & Mitchell is the agency.

Liquid accounts also characterized the business week at WJLB. Testing the air medium to introduce its new beer hop, Kootie, Blue Anchor Potpourri for a week, also being directed, in part for a 13-week daily participation on the "Shoppers' Jackpot" slot for a week, also being a mail drink bottled here, participates daily in the "Housewives' Jackpot" placed through Stewart-Jordan. Both stanzas are money-award gives via the completed phone call route.

Comparative Unit Count		
June 21, June 14, Change	% of	
Network ... 9,970	9,908	-0.6
Local ... 6,258	6,218	-0.6
Na'l Spots ... 4,525	4,338	-4.4
Total ... 30,293	29,883	-1.4
(Includes: WJLB, WJLA, WJAS, WJIB, WJG, WJPF)		

Bill Wiseman, promotion chief and Harry Burk, program director of WYU, Omaha, were 38 on Sunday (22).

JUST OFF THE PRESS... latest data WMAQ NEW YORK

Have you seen the new map of WMAQ coverage, which includes latest market data? Not write or phone Sales Promotion Department, WMAQ, 1657 Broadway, New York (Circle 6-2200).

THE RADIO SHOW NOW RADIO'S MOST POPULAR FAMILY BRINGS YOU MORE LAUGHTER HEARS AND HEARTY THROBS

Presented by Ivory Soap 90% Pure

LISTEN TWICE DAILY NBC Radio Network, 12:15 to 12:30 P.M., EDT WABC—12:15 to 12:30 P.M. WABC—12:15 to 12:30 P.M. COAST TO COAST

DR. COMPTON ADVERTISING AGENCY MGT. ED WOLFE—RKO BLDG., NEW YORK CITY

Great Success—Loss \$800

Philadelphia, June 24. Samuel R. Rosenbaum, prez of the Robin Hood Dell outdoor concerts series, which got under way last Thursday (16) for its 11th summer season, stated the day after the opening concert, "The success is the order of the day, and friends of the Dell will appreciate the facts of life about the problems of management. Last night's concert was a good success for an opening program. Beautiful weather, the Dell all refurbished, a sterling program, a first-rate conductor, and, according to the newspapers, a crowd of 5,000 viewers are deceptive. In fact, there were only about 3,500 paid admissions," explaining that the crowd took the money line with only \$14,000, and that the program was a "good success" for a high conductor Eugene Ormandy waved his stick on the Dell, and there was no solist on the stand, all adding up to a "Great success—loss, \$800."

SHARES IN MET OF UNCERTAIN VALUE

A minority stockholder suit against the Metropolitan Opera Association was revealed Monday (23) in the N. Y. supreme court, when appraisers, appointed by the court, filed the result of their appraisal. The stockholders, holding 1,350 shares of the 10,500 shares outstanding, claim that when two-thirds of the stockholders voted to sell their property to the Met in May, 1940, they received a price below what the stock was worth, and asked the court to have their stock appraised.

Three appraisers were declared by Justice William Collins in his opinion, numbered 1940. Two of them appraised the stock to be worth \$75 a share, which means that the stockholders received almost double its value. The other appraiser declares it worth \$200, while the stockholders themselves had presented evidence claiming it worth \$275. It was revealed that the Met, in taking over the property paid \$1,970,000 for it, including \$300,000 in cash, the assumption of \$470,000 in debt, and a 10-year mortgage, and the taking of a \$1,000,000 second mortgage for 25 years bearing 4% interest.

"Value of the plaintiffs stock is estimated at \$101,250 by one group and Jurisprudence declares the value of the other. Stockholders are Robert Goeliet, F. Franz Jellke, John E. Parsons, Robert Feter, Eugene G. Lawrence Bennett, and Percy Montgomery. In making their appraisal, appraisers declare they took into consideration the social prestige attached to owning a box at the Met.

WATSON, CANADIAN, JOINS METROPOLITAN

The Metropolitan Opera Co. has signed Jean Watson, Canadian contralto, to a contract for the 1941-42 season.

The singer, under contract to Columbia, was virtually an unknown in the U. S. till last season.

Stoki's Spotty Grosses

Kansas City, June 24. Stokowski and the American People's Symphony Orchestra played a concert in the arena of municipal auditorium before a crowd of approximately 7,000. Scale of \$3 per graduated down to 25c, for some school kids figured to bring in about \$8,000. Deal gave 60% of the net, and balance to the junior chamber of commerce which staged the concert.

Check on attendance also showed about 60% of patrons to be young people, mostly of college and high school ages.

Red in St. Paul Minnesota, June 24. Leopold Stokowski and the People's Symphony orchestra drew only a paltry \$14,000 for a one-nighter at the usual Auditorium, but the Metropolitan only Twin City appearance. Engagement left both the orchestra and local sponsors in the red.

Beehavers Ninth Symphony with the NBC Symphony orchestra under Arturo Toscanini will be released within the next two months by RCA Victor.

LILY PONIS' MEXICAN REST

After Three Summer Concerts Will Work Up New Met Roles

Lily Ponis' summer schedule comprises three appearances, one each at Robin Hood Dell, Philly, Lewisohn Stadium, N. Y., and the Hollywood Bowl. She will go to Mexico from Hollywood where she will be joined by her husband, Andre Kostelanetz, who has flown to the States.

The singer will vacation there while working on her two new roles at the Metropolitan, the "Magic Flute" and "Fra Diavolo." She has been booked for 40 concerts, which draws a \$2,500 net per concert, besides appearances at the San Francisco and Chicago operas, where she draws \$4,000 per opera and 10 at the Met, where her \$1,500 net tops for the house.

The coloratura remains the only singer at the Met who can dictate her own cast.

Lily Ponis will give a party at her home at Silvermine, Conn., next Tuesday (30) and in N. Y., will appear at a party at the Waldorf Astor and Bailey circus performers, who are slated to play a show in Bridgeport, Conn., on Wednesday.

Operatic coloratura is an ardent circus fan.

Enya Gonzalez in 'Butterfly' At Hollywood Bowl As Result of Music Hall Check

Enya Gonzalez, whose "Butterfly" attracted good comment at the Radio City Music Hall, N. Y., will appear that role July 8 at the Hollywood Bowl. Soprano was set as a result of her U. S. success.

James Melton will appear as Pinkerton opposite her.

Budapest Quartet Set For Four at Ravina Park

The Budapest String Quartet does series of four appearances at Ravina Park, Chicago, starting Aug. 12. Four concerts will be given during the week of the first solist will then return to Washington for a series of concerts at the Liberty of Congress. From November to March 1942 they have been booked for 35 concerts in the east, middle west and south.

San Francisco Bookings

San Francisco, June 24. The San Francisco Opera Association besides its regular season of opera under Gaetano Merola in the fall, will present a concert series at the War Memorial Opera House with a new row set. Prices will range from \$10 to \$15 for the orchestra for the series.

Artists get include Richard Tauber, Dec. 3; Yehudi Menuhin, Dec. 10; Dusolina Giannini, Jan. 8, the Don Juan character in setting of the opera, Feb. 5; Marion Anderson, Feb. 9; Grace Moore, Feb. 16; Oscar Levant, March 5; Doris Maynor, March 20; Grace Moore, March 30; John Charles Thomas, April 15 and Heien Traubel, April 23.

Le Roy With Beecham

Bene Le Roy, French flutist, and director and founder of the Quintet Instrumental de Paris, has been engaged to play at the Metropolitan Concerto at Ravina Park, Chicago, July 12, under Sir Thomas Beecham.

A Washington appearance is then expected for which Le Roy returns to Canada in September for a series of radio broadcasts.

People

Louella Manners and Donald Dickson are booked for concerts with the Milwaukee Summer Symphony Orchestra on Monday (24) and Tuesday, Dickson has been set for some 25 concerts for the fall season, with his first appearance scheduled for Stockton, Cal., Oct. 10.

Ruth Ford, contralto, leaves for Puerto Rico in early July for a series of concerts there.

Orlando quartet, consisting of Margjorie McClung, Dorothy Bacon, Robert Curtis, and Donald Dickson, has been booked for three "Messiah" performances in Ohio in December. Annie Frieberg set the deal.

Erica Mertel, violinist, will be booked for some 25 concerts this year by NBC, with 15 already set. Opens in Montclair, N. J., Oct. 31.

Eneo Malson, Belgian tenor of the Metropolitan, during the season Buenos Aires last week in "Dammation of Faust" and is booked for a series of appearances at the Teatro Toscanini, as well as other appearances at the Colón.

Lewisohn Stadium has Oscar Levant on July 10 for all-Gershwin music, and Donald Dickson on Aug. 13 playing the Mendelssohn Concerto.

Oscar Johnson, Angel Of St. Louis Symphony, Into U. S. Army at Age 35

St. Louis, June 24. Oscar Johnson, millionaire preb and angel of the St. Louis symphony orchestra, has personally known musical artists than anyone else in this burg, last week was drafted for military training.

Johnson, who has been prez of the musical organization since 1933, has personally made up drafts for a number of years. He devotes practically all of his time to symph matters, and has received a number of Johnson was in Berkeley, Cal., when he was notified to report for his training at Jefferson Barracks, just south of St. Louis. He is a bachelor.

ROY SHIELD AMONG NBC SYMPH BATONS

Conductors for the NBC Symphony orchestra during the balance of this month, July, and August, are Dean Dixon, from June 24 to June 26; Maxell, 11-year-old maestro, from July 3-12; Hans Kandler from July 13-19; and Roy Shield, a member of NBC in Chicago, from Aug. 2-9.

Edward MacArthur is the last set to be with his appearances on the podium set for Aug. 16-23.

Chi Lakefront Concerts May Continue After All

Chicago, June 24. Summer program of free concerts at the Grant Park is still likely for 1941 following the passage of the \$10,500,000 park district levy which is expected to be passed by the city council.

Before the passage of the bill it was considered that the concerts at Grant Park would be eliminated for lack of coin, but with the money now available, park district president Robert W. Johnson is setting a conference with James C. Petrillo, president of the Chicago Federation of Labor, to make plans for the concert series.

Name Concert Dates (June 25-July 5)

Ballet Russe de Monte Carlo—Stokowski (June 27).
Mecha Eldian—(Eugene Goossens conducting), Stadium, N. Y. (30).
Seattle Symphonians—Summer Symphony, Milwaukee (1).
Paul Beecham—(Alexander Hillier conducting), Robin Hood Dell, Philadelphia (1).
Bronslaw's First Since '33
Hurbaner Huberman, violinist, will lead 1941-42 tour with a concert at Carnegie Hall, N. Y., Oct. 2. This is his first tour of the U. S. since 1933.

Lewisohn Stadium Attracts \$23,000 At Pop Prices in First Four Days

Robeson Wows 'Em

Star of Monday (23) Lewisohn concert, was Paul Robeson, with 14,000 admirers of the Negro bass paying \$2,000 to hear and see him. Robeson received one of the most ovations in American history.

An encore, "Scandalize My Name," drew audience to him spontaneously in the chorus.

Glady Swarhout Set For 30 Concerts at \$2,000; Chapman at Cincy Opera

Glady Swarhout has been booked for an extensive summer tour. The Negro tenor and soprano mezzos will appear on the Coca-Cola program July 8 and August 24 for \$3,000 appearance, and will sing "Mignon" with the Cincinnati Opera Co. July 31 and August 2.

The singer will close the Cincinnati season with an appearance as "Carmen," in which her baritone husband, Arthur Chapman, will appear as Escamillo. Her fall tour sets under way Oct. 16 in Montgomery, where she will appear at a minimum of \$2,000 each already set.

She will appear with the three leading opera companies in the country again, the San Francisco, Chicago and Met.

DeBasil Must Defend U. ART'S \$100,000 SUIT

Wassily DeBasil lost a plea to dismiss a \$100,000 breach of contract suit against him and his ballet company, the Ballet Russe de Monte Carlo, in N. Y. federal court Friday (20) ruled that the complaint stated a cause of action.

DeBasil is accused of having breached the contract by producing the ballets after having sold them to Universal.

Elizabeth Schumann Sings At Vermont, Maine Resorts

Elizabeth Schumann, 50-year-old lyric soprano, and member of the Ballet Russe de Monte Carlo, at Rockport, Maine, where she will teach. The soprano will appear in concert in Middlebury, Vermont in July, and in August in a series of concerts in Maine.

N. Y. recital set for November, followed by a tour of the east and middle west. In January, 1942, she will appear at the State and Grand, San Francisco, and Los Angeles.

Moussorgsky's Film Biog

A film biog of Moussorgsky, the Russian composer, with Hollywood capital, is planned by Andrew Hirschman, French trade newspaper and publicist, who recently came to New York as a refugee from Nazified France.

Sergei Koussevitzky, long a friend of Hirschman's and a big factor in his career in France, will finance the contract to Hirschman for the picture, though the Boston symph maestro would not necessarily play the lead role.

Pittsburgh Pops Starting

Pittsburgh, June 24. The summer "pop" concerts by the Little Symphony Orchestra will begin under way here June 24 under the direction of Victor Saudek. Concerts are given every Friday night for the duration of the summer months.

Opening night presents "Ballad for Americans," and Pittsburgh vocal and instrumental solists are featured throughout the summer.

The Lewisohn Stadium outdoor concerts, one of the four most important series' music summer events in the country (The Hollywood Bowl, Cincy opera and the Beneficial festival being the others) opened last Thursday in New York. From Thursday through the most ovations at Lewisohn stadium played to 42,000 persons for an encore of some thing for an estimated \$23,000 at pop prices.

The first performance drew 23,500 persons, a record, and put about \$15,000 net total in the box but the concert itself, with Arthur Rodzinski conducting rather listless, drew an outline start of the 24th season.

Orchestra struggled furiously with the Beethoven Violin and Fifth Symphonies of the Russian conductor. The new acoustic system did not seem to work well, with the brass and percussion instruments overpowering the string sections, the brass of which were still untried. The hot weather conditions may have affected the brass to some extent, but the playing of the melodic background of the violins was completely drowned by the overpowering of the brass in the producing the music.

Although playing also was effected, and on many an occasion the piano sounded like a harp, there was no modern interpretation. The Polish pianist was at his best in the last movement of the concerto, and the playing of the orchestra he blasted his stream of melody across the footlights. Encores included "Rustle" by Chopin, De Falla, and Villa-Lobos.

The second night of the Philharmonic came off much better under the baton of Alexander Smallens. The stringency of the brass was missed, and the playing of the orchestra in the Handel-Harley Water Music, and Mozart's Symphony in C Major was all that can be expected of an outdoor performance. Attendance was small, 2,000, with the gross box office about \$10,000.

Program included first performance in the U. S. of Arthur Benoit's "The Dance of the Century" dance melodies. The English composer has orchestrated his compositions with a variety of dynamic effects contain much color and harmony.

America did not rate so well for Aaron Copeland's suite from "Billy the Kid" was modernistic in execution, but the singing tones of Shakespeare, full of sound and fury signifying nothing.

Orchestra of an all-Bethoven concert was presented. Arthur Spalding appearing as violin soloist in C Major was all that can be expected of why he is often considered the greatest American violinist. The artist held at his best, the singing tones of his instrument ringing forth with a clarity, brilliance, and breadth of tone, while his workmanlike handling of the difficult opaziana was stand-out.

Smallens led the orchestra through a fine recital of the 19th century repertoire No. 3 and the Fifth Symphony in C major, with an estimated 14,000 multi-viewers, and an estimated \$6,000.

Sunday concert was a transcription of the conductor, of major piano concerto, "Perpetuum Mobile" for the first time in N. Y. Attendance approximately 4,000 with receipts estimated around \$1,200.

EARL WRIGHTSON WITH BACCALONI'S PARTY

Earl Wrightson, young American baritone, will appear as principal baritone in the Metropolitan Opera company, which goes on tour this season from opera in which the baritone will appear with Franco Ferulli has been mentioned.

Tumina, So. America For 18 Opera Bookings

Josephine Tumina, coloratura of the Met, has been booked for her second appearance on the Kraft tour, and will appear with the soprano then sails for South America for 18 performances of opera.

Lombardo's Strand Pace, \$23,500; Stanley, Pittsburgh, Near \$17,000 With Ted Lewis Band the Magnet

(Continued from This Week) Louis Armstrong, Philadelphia... (Extra; 4,500; 85-46-57-89). Not much help from screen attraction, 'Time for Rhythm' (Col.)...

Gay Lombardo, New York... (Strand; 2,787; 35-54-45-48-53) as 'Out of 'Em' (WB) as screen attraction. Picture not credited with helping much...

Vicent Lopez, New York... (Paramount; 3,684; 35-55-45-49). Paired with 'Night in Lisbon' (Fox) (52-41) w/kl. Orchestra is helped by Milton Berle heading supporting acts...

'Fate Walker, Los Angeles... (Paramount; 3,595; 35-44-45-48) as 'Night in Lisbon' (Fox) (52-41) on screen, and 'Rochester' on stage. Next \$17,000 on tap.

30 for Nelson Eddy Sold Out for February Start; \$6,000 Up Per Concert

Nelson Eddy will open his already sold-out concert tour in February at Salt Lake City. The baritone, top act, concert attraction in the world, will set for his second 30 concerts which draw from \$6,000 up.

The singer generally receives from \$200,000 over a 30 appearance, a figure no other concert artist comes near to reaching.

In the Waxworks

Charlie Barnet (Bluebird) 'When R You'll Never Let a Day Pass By', 'Lola', 'Be Fair', 'Wam! You Come Up', 'Habanera'.

Benny Goodman (Columbia) 'La Rosita', 'Down, Down, Down', 'Soft as Spring', 'Tuesday is My Day'.

Lesky Millender - Bluebird (Decca) 'Ride Red Ride', 'Slide, Mr. Trombone', 'Rock Dandel', 'Trouble in Mind'.

Bobby Byrne (Decca) 'More Than Once', 'Down, Down, Down', 'It's True', 'You Started Something'.

"FLAMINGO" COLUMBIA 36147 A Great New Recording by WILL BRADLEY and HIS ORCHESTRA FEATURING Ray McKinley

PAGLIACCI BROTHERS-1119 TATTLE TALE BROTHERS-1173 Top Recordings by VAUGHN MONROE and His Orchestra WILLIAM MORRIS AGENCY, INC.

On the Upbeat

Junalia, relieving for the past year at Club Paradise, has been singing her rhumba band to carry on alone until arrival of Alan Fielding in the fall.

Joey Kerua, house band at WCAU, Philadelphia, signed to was an EMI record with Decca. Calls it 'Careful Conversation at a Diplomatic Function'.

Cliff Hall, pianist-singer at Embassy Club, Philadelphia, to cut solo platters for Liberty label in New York.

Dick Wharton leaves Philadelphia at his WPT. But he is expected to summer at the Blue Room of the Shore Night Club at Beach Arlington, N. J.

Bob Horton, Philadelphia, adding Bobby Harris on clarinet, goes to the Stone Harbor, N. J., Yacht Club for the season.

Tony Russell left KYW, Philadelphia, to join Gray Gordon as vocalist. Gordon has shifted from Vocal-Bluebird to Decca.

Art Minet, KYW, Philly, organist at the RCA-Victor studios recently for wax cutting. Initial couple 'Symphony Apache' and 'Entry of the Gladiators', released on the Bluebird label.

Marla Karson and Her Girl Musicians, instrumental and vocal quartet, are now at the Rainbo Room in the New Kenmore Hotel, Albany.

Nell Golden back at the De Witt Clinton Hotel, Albany.

Channing Barrow's Blue Notes is summer schedule at Rodco's Sunset Inn, 2000 S. Susquehanna, near Blairtown, N. J.

Bob Annan's West Chester Teachers' College choir, featured on the outdoor terrace at the Oak Grove, Four streets 209, near Marlboro Creek, Pa.

Howard Russell, who hits his Tri-tone ballroom band at Regina, Sask., recently, changed his name, and has gone back to his baton waving band has left for Waterton Lakes National Park for the summer.

Ted Strasser opened Ritz-Carlton hotel, Boston, Monday (23).

Bob Burns, trumpeter who gave up his own band, joined Charlie

Auburndale's Totem Ballroom Hit By Heat, Gray Gordon \$4,900 in Six Days

(Estimated) Bob Chester (Coney Island Park, Cincinnati, June 21). Second night at Auburndale, 1,800 attendance at 50c. Skinnay Enns (New Lake West Casino, Fort Worth, Tex. June 20-21). Two-day stand at niterdy almost capacity 1,000 each night at \$2.50.

Ella Fitzgerald (City Aud., Houston, Tex. June 19). Fitzgerald outfit pulled to enthusiastic mob of 4,470 at 90c. Two nights previous band played 1,500 into Cooper Club, Henderson, Tex., and 1,800 at Palmisale-Longview.

Benny Goodman (Cedar Point, Sandusky, O. June 14-19). Goodman orchestra's second record sale with 3,270. At \$1.65 per set for dancers and 110 spectators Parker pulled \$1,100 from 900 holders; but returned two days later (20) and grabbed \$1,100 in 110 hoppers and 55c-toppers with 2,000 attendees.

Joe Venuti (Peony Park, Omaha, Neb., June 18). Around 1,100 paid 50c for a squint at Venuti's fiddling for gross of \$550, considered better than in those parts. Tommy Baker (Pleasure Beach Park, Bridgeport, Conn., June 22). Overcome by heat, 86d at 77c, season's low for spot.

Barnet last week. He'll become part of new seven piece combo Barnet is forming with the big band.

Buddy Cole, pianist with Alvino Rey and husband of Yvonne King... former leader of the new Los Angeles Saturday on call from Alting father. Joe Sullivan, former leader of his own crew at Cafe Society, N. Y., temporarily replacing.

Woody Herman's four weeks' stay at Sherman hotel, Chicago, finally dated for Oct. 23.

Morgan Hill, guitar, replaces Mike Brown and Vic Mazzo... James sax, additional replacements with Benny Goodman. Musso vice George Auld.

Raymond Scott's latest dream-tune is on a tune he's written for his new Secret Seven combo. Calls it 'Careful Conversation at a Diplomatic Function'.

Harry James' softball team walked Tommy Dorsey's outfit for second appearance last week, 12-7. First game 15-12.

Eve Keyes, former drummer with Hal Kemp, joined Art Jarrel's crew last week in place of Floyd Miller. Jarrel went to Johnny Long-Jarrel's outfit is made up mostly of ex-Kemp men and its music is based on Kemp arrangements.

Bruce Snyder, two hopped out of U. S. Navy in China, topped into Tommy Dorsey's band on baritone sax.

Gray Gordon begins recording contract for Decca this week.

Ernie Marianne is now pianist with Bill Ameline's orchestra, playing at the Golden Pheasant, Youngstown, O.

Johnny Parr, from Dean Hudson, goes into Johnny Long trumpet section.

Will Osborne discarded fiddle and is returning to 'Slide Music' and sax before.

Tony Russell replaced Art Perry as vocalist in Gray Gordon's band.

Barnes Bapp signed Consolidated Radii Artists booking contract.

Jeanne Carroll, formerly with Leo Reisman, vice Mary Anne Dunn as vocalist with Jack Tregarden.

George Szapenna band into Athletic Club, Buffalo, adding Lorraine Grant on vocals.

Tony Carvella combo back into Park Lane, Buffalo.

Billy Bissett's new combo at Bel Air, 1000 E. Long Ave., Los Angeles. Artists Art Lombard, trumpet; Roy Noble, waltz; Ruth Byron, Dory Long-Jarrel. (Continued on page 30)

Bands at Hotel B.O.'s

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being done by named bands at noted New York hotels. Dinner business (7-10 P.M.) not rated. Figures after name of hotel, room capacity and cover charge. Larger amount designates weekend and holiday price.)

Table with columns: Band, Hotel, Weeks Played, Cover Charge, Total Gross. Includes bands like Ray Heatherton, Kay August, Ray Kinney, etc.

*Asterisks indicate a supporting floor show, although the band is the major draw.

CHICAGO

Paul Whiteman (Chez Paree; 500; \$2.50-\$3.50 min.). Turned in another good session, drawing 3,000 customers. Boyd Reasbin, orch. opens July 4, with Milton Berle heading floor show.

Joe Garber (Empira Room (Palmer House); 600; \$3-\$3.50 dinner min.; \$2-\$2.50 supper min.). Garber picked up steadily in pace and winding up in the city, playing to 2,600 people. Skinny Rinnis orchestra opens on Thursday (28).

Freddy Martin (Ambassador; 900; \$1-\$1.50). In longest Coconut Grove run, Martin accounted for 3,100 covers in 28th week helped by graduation parties.

LOSALES

Don Roth (Chez Paree; no cover). Band has broken all records at this time, ending out its eighth month with one Band only entertainment with no floor show. Bands and late night gathering featured. Deb Lyon (Cave Under the Hill, Hill Hotel; no cover). After playing a solid year with no break, hand let for weeks and is now back packing in customers again. No cover age and floor show except special nights by handmen.

Red Smith (New Valley Band (Bombay-Bald Mirror Room, Fontaine Hotel; no cover). Third week of popular draw with no other floor entertainment. Place features dinners and late night gatherings.

OMAHA

Band Bookings Bill Bardo, July 5, week, Dreamland Park, Kenover, W. Va. Lew Reese, July 5, Palm Isle C. Longview, Tex.; 4, Monroe, La.; C. Cedar Lane C., Opelousa, La. Cab Calloway, June 28, Castle Park, Cincinnati; 29, Savo, Chicago; 30, London Arena, London, Canada; July 1, Mutual Arena, Toronto.

Larry Clinton, July 4, Lakeside Park, Barnesville, Pa.; 5, Summit Beach, Akron, O. Al Donahue, June 29, State Fair Park, Milwaukee; July 1, Iroquois Gardens, Louisville, Ky.; 3, Lakeside Park, Cincinnati; 4, Eastview Gardens, Detroit.

Clarence Hawkins, July 3, Edgewater Beach, Md.; 4, Aud, Donors, Pa.; 5, Ulme Arena, Washington, D. C.; 13, Carr's Beach, Annapolis, Md. Woody Herman, June 29, Myers Lake Park, Canton, O.; 30, Baise theatre, Washington, Pa.; July 1, Clarksville, Rocher; Ind.; 3, White Park, Herron, Ill.; 4, Dunbar Cave, Clarksville, Tenn.; 5, Castle Farms, Cincinnati.

Les Riddle, June 28, Municipal Aud., Topeka, Kan.; 29, Fairlyland Park, Kansas City, Mo.; 30, Avation B. Club, Ind. July 1, Aud., Danville, Ky.; Kan.; 3, Val-Air, Des Moines; 4, Shore Acres, Sioux City, Ia.; 5, Newport, Ind. July 6, Iowa Falls, Ia.; Alf, Des Moines; 8-20, Lake Lawn hotel, Delavan, Wisconsin; 21, Aud., St. Paul, Minn.

Inospejo, June 28, Buckeye Lake, O.; 30, Cassa Mesa B., Charleston, W. Va.; July 1, Memorial Hall, N. Y. C.; 2, La Mansion House, Youngstown, 2, Eastwood Gardens, Detroit; Aud. 25-31, St. Joseph Hotel, New York; 4, 4-6, Steep Ferry, Atlantic City, N. J.; Glenn McGee, July 5, Sunset B. Club, St. Paul, Minn.

Glenn Miller, June 30, Turpinke B., Omaha; July 1, Meadow Acres, Aud., 2, 3, Frog for 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

RAINDROP SCOTT AND HIS ORCHESTRA

Direction MUSIC CORP. OF AMERICA

HARRY JAMES AND HIS ORCHESTRA NBC-COLUMBIA RECORDS HOTEL NEW YORK Dir.: Meseur Corp. of America

Inside Stuff—Orchestras

Johnny Long, left-handed fiddle player leading his band from the New Yorker Hotel, was bitten by a pig when a youngster on a farm in North Carolina, in a cruel severing motion, cut down on his nose. Left him without necessary power and suppleness needed to finger strings. He could handle a bow, however, so simply changed over. Eberly's band has held over in New York for three weeks. It is to stay an additional three and possibly for the summer.

Tommy Dorsey's band was cut off the NBC Blue network last week in the middle of a sustainer from the Astor hotel, New York. Blackout was brought on by a misunderstanding stemming from the failure of an NBC sustainer to include a tune announcer Bill Abernathy in his list of those which had been cleared. Abernathy sought the following number when it came time to play "This Love of Mine," written by Frank Sinatra. Dorsey's vocalist, who was supposed to correct. Booked about eight bars, then was cut off the air while a studio classical pianist filled in. Band was cut back in later.

John Kirby on "We the People," program over CBS, to tell how he is the only one leaving a swing band from a full biddle.

Monte Proser's Madison Square Garden Dance Carnival Folds Up After 3 1/2 Weeks; 100 Days Planned

Monte Proser's Dance Carnival at Madison Square Garden (22nd night's session. Gradual stoppage of business culminating in the 100th anniversary being bought over the three-day weekend, Friday through Sunday, wrote final end to the project which cost its backers virtually all of the \$100,000 that had been pooled to redecorate the garden and get the idea rolling. Record heat which hit New York Friday (20) kept the carnival there. There were only 1,500 in the place Sunday night.

In addition to the \$100,000 put up by Art Aronstein, the musical executive now on his way to China to fill a U. S. Government post as Burma Road commissioner, Proser is said to have lost "every cent he had" in an effort to remain open. He's supposed to have borrowed money on insurance policies and mortgaged his Copehoban and Beachcomber (N. Y.) houses, as well as the Piping Rock Club at Saratoga Springs, N. Y., to keep the Garden going. As that Proser is obligated for back salary to the bands of Benny Goodman, Larry Clinton, Charlie Barnet and Ben Berner (up approximately \$8,000). Local 802 of the American Federation of Musicians, which received the lightening up on all its rules, was a contributing but not final factor in the closing.

Proser made every effort to dig up more capital between Sunday's closing and last night (Tuesday) by repromoting the policy, but apparently was unsuccessful. Mondays were his profits any extra he had to pay him almost 48 hours to scout up additional cash.

Terms
Garden's policy lasted three weeks and three days from its May 30 opening. From the first it was a losing proposition. It dropped approximately \$15,000 on its opening week. Garden's gross for 110 days was only 15% of the gross, about \$15,000 for three bands, \$12,000 for the exploitation of the summer items, was a back-breaker and the first week's gross reached only \$10,000. Five hundred tickets were sold for \$8,500. One hundred days were planned.

Proser figured to stay open at least a few weeks longer under the revised rental plan he worked out with the Garden last week. He shifted from a three-band policy to two. Garden lowered its rental from \$100 a day to \$75 and raised the percentage. Poor break in the weather and resultant further drop in the number of patrons, however, nullified the changes, however.

Though the Garden has passed out of its picture, Proser still figures on carrying out his plans to roadshow the works, if he can dig up enough backing to get started. The Road plan is considered feasible because of lower rentals or straight percentages for bands which he worked out with additional in various key areas. It is figured that it would entail a net of \$100,000 needed for bands, transportation and rental.

Meantime, Proser is readying to put a show from the Copehoban into the Piping Rock, Saratoga, for the August racing season.

Proser has another headache in carrying out all the tinsel, tail palms, etc., as his deal called for leaving the Garden as he found it.

Anti-Accident Rule

Rule limiting one-night dance band jumps to 400 miles, passed by the American Federation of Musicians convention at Seattle recently, doesn't figure to hamper one-night bookers much. Limited to 400 miles, it figures to schedule, a leader to accept, or musicians to fill, any date requiring more than a 400-mile hop, by auto or bus, within 24 hours.

Means, of course, that longer hops can be made by plane or train. Only local flights are to interfere with one-night operations by road is in states like Texas, where 400-mile jaunts are compared to strolling around the block.

George Hall Not Droicing His Orchestra, Bating Goes To Vocalist Dolly Dawn

George Hall stepped off the podium last week, Vocalist Dolly Dawn led a change of management with Hall as band's manager. Miss Dawn's debut as a leader will be at the Waldorf-Astoria place at Roosevelt Ballroom, N. Y., July 4.

In making the change in leader Hall also made a change in booking offices, without notice. Whereas he's signed to Music Corp. of America, Miss Dawn's booking problem has been turned over to General American, which booked her on the radio. MCA has no apparent comeback because its agreement designates Hall as leader. The new contract has such in the near future the contract would hold force.

NAVY PLAYERS ON STAGE FOR ARMSTRONG STUNT

Philadelphia, June 24. Louis Armstrong, current on the Earle stage, turned the boards over to the Navy band with a bigging contest. Gotta-get-up horn blowers attached to the Philadelphia Navy band, who were stationed at the Yard were invited to compete for the title of champion bugler of the Navy.

Satchmo making the presentation on basis of audience applause.

Dee Richardson Seeking Lieutenancy in Army

Fayetteville, N. C., June 24. One month after the Army took over his trombone work with Everett Hoagland's orchestra last January, Dee Richardson, the band leader here, was promoted to a sergeant.

Richardson is expected his Second Lieutenant commission by July 1.

Jerry Dalmas, Philadelphia all-gal unit, set to summer at Inlet Hotel, Wildwood, N. J.

WOR-WG-WIRE-PEDDLING CAUSE OF GRUMBLES OVER REMOTE

ANOTHER ROAD ACCIDENT

Bob Eberly, Jimmy Gardner of Jimmy Dorsey Band Are Injured

Bob Eberly, vocalist with the Jimmy Dorsey band, is the latest road casualty in the steadily mounting toll of road accidents among bands travelling on one-nighters. Driving to New York from a date at Lakeview Park, Mahanoy City, Pa., early Friday (20) morning, Eberly, his wife and Jimmy Gardner, also in Dorsey's band, were severely shaken, but only slightly cut and bruised when their car was hit by one driven by two youths near Stoneville, N. C. Accident forced the cancellation of a disc date scheduled for that afternoon in N. Y.

Crash was attributed to a truck trying to pass another road freighter at a curve. Youths, both of whom were seriously injured, were coming in the opposite direction and were forced off the road. Sliding back onto the concrete they smashed into Eberly, who was following the truck then circaromed off and almost uprooted a tree.

Hot Music Men Compose For Serious Field

A number of 'hot' musicians at NBC have been going classic of late, and quite a number of new compositions have been produced by them which have been played by the NBC Symphony, or Frank Black's orchestra. Among some of these is Arthur A. Zornoff, bass fiddle player in Zornoff's dance band, who has done two movements for orchestra and a string quartet played by the NBC; Paul Leval, conductor of the 'Lower Basin Street' orchestra, whose symphonic rumba has been played by the NBC and Earl W. Katz, jazz pianist, whose 'Overture to the Days of Buffalo Bill' was given a first performance by Black.

Some others in this category would be George Towne, staff arranger of NBC, whose symphonic works have been played by Black; Muriel Pollock of the jazz piano team of Pollock and Lahnwirth who has had some poems played; and Tom Bennett, singer arranger for Ozrie Nelson, who has been commissioned by NBC to write an opera, and who's done an aria sung by Norman Costo, Met, basso, on the air.

Others whose forte lies in the symphonic field are Victor Kopp, conductor, CBS conductor, whose 'Serenade for Strings' has been played by the NBC; and Vladimir Schulman, who plays in Leval's orchestra, whose 'Variations on an Original Theme for Viola and Orchestra' has been played; and Vladimir Chernyavsky, who has had a few piano and strings performed.

Rockwell, Inc., Dissolves

Albany, June 24. Thomas G. Rockwell, Inc., New York, has been dissolved, according to a plan filed with the filing office of state.

Bernard L. Miller was the secretary.

The dissolution herein, any effect on the rights of the General American, CORP. PAGE 5

Teddy Waters, Raymond Scott guitarist, plans to reject the Scott crew after attending to a bad strep infection of the throat in a Philadelphia hospital.

Bandleaders See Mutual Lacking Coordinated, Sound Dance Pick-up Policy—Too Many Quarter Hours—Chicago and New York Ignore Each Other

BEST TOGETHER

Eddie DeLange and Will Hudson in Session—New Rehearsing

Eddie DeLange and Will Hudson are together again, rehearsing a new band in New York. Hudson did nothing, but arranging for a year or more after the split, then started a crew of his own also, but it, too, like one by DeLange, fell by the wayside.

DeLange meantime has achieved rank as a lyric writer, collaborating with the current top ranking melody men.

Freddie Martin Booked To Replace Lombardo On Lady Esther Show

Freddie Martin's band will replace Guy Lombardo in Lady Esther's Monday Columbia spot Aug. 4. He will remain through that month and possibly September, all depending on the starting date of the permanent show which is yet to be picked. Martin will originate from Hollywood, a while. He may come to either Chicago or New York later.

Lombardo starts his series for Columbia Aug. 2, or five days after winding up a three-year career with Lady Esther.

LES JACKSON BAND SPLIT UP BY DRAFT

Springfield, Mass., June 24. Les Jackson wound up a six-month tour with his orchestra at the Worthing Silver Room here on Saturday (21) while he is awaiting a call from the army air corps. His trumpeter, Herby Swindorf of Decatur, Ill., is being called to active service for the 30th. Jackson himself is from St. Louis, Mo.

The band will split up with most of the boys taking other jobs after a vacation.

Bob Chester Into Jersey Spot, Gets NBC Line

Bob Chester's orchestra goes to its first location date in more than a year when the outfit opens at the Chatterbox, Mountaineer, N. J., July 17 for an indefinite stay. Chatterbox now has Mutual wires, but will switch over to NBC with Chester's plans.

Debut are being made to enlarge the seating capacity of the spot. Currently seating 350; that limit has been found inadequate on peak week-end nights.

Hal Grayson's Itinerary

Houston, June 24. Following Hal Grayson's run at the Hotel Rice here, the band goes to the Blue-White Casino at Ft. Worth and one-nighters thereafter through El Paso, Phoenix, Tucson, etc., to Los Angeles.

Grayson opens mid-July at Catalina.

'Platterband' on WMCA

Bob Bach, Leonard Feather and Milton Gabler will be the quartets of a new 'Platterband' program on WMCA, N. Y., Friday (27) at 10 p. m.

It plays records and asks questions about swing and swingers.

Mutual network's method of cutting up its available remote pickup time is drawing criticism from bandleaders whose bands are getting shots at that network. During the past month or more Mutual has been slicing the major portion of its pickup periods to 15 minutes as a means of squeezing in as many bands as possible, and occasionally it does out less than a quarter hour. But it is a cry from band leaders is that Mutual is trying to satisfy too many acts to do any of them any good.

Another peeve is that in making so many pickups Mutual, of course, hasn't the staff to supply announcers and engineers. There have been cases of road managers being pressed into service as engineers, and others where announcements made at the time were cut off by a station program, either as to tunes coming up or identity of singers handing the vocal.

Out of approximately 67 pickups made by CBS last week, only 11 were of a half hour length. Thirty of those went over 30 minutes, 40 minutes under from the Rustic Cabin, Englewood Cliffs, N. J.; 40 minutes under from Chicago at a stay-in-Casino, New Rochelle, and 40 minutes with Art Mooney at Bordewick's, Rockhewn, N. Y. In the 67 there were 38-15 minute pickups and nine 10 minute ones. There were five 20 minute pickups and 25 minutes. Two were under the 10 minute group, one seven minute pickup of Dolly Dawn at the Waldorf-Astoria Casino, New York, and another nine minutes with Carl Hoff's new group at Blue Gardens, Armonk, N. Y.

Though the cutting of time into bits is a complaint, it is not only for the past month or so. Mutual claims that its signing with the NBC is a result of an entire program, either as to tunes coming up or identity of singers handing the vocal.

Sale of Wires

The bandleading gentry point out that the underlying cause of the time allocation is the sale of the wires traced to the competition for the sale of remote lines which prevails among the Chicago and New York WOR, New York, WGN, Chicago, and other similar originating stations are each interested in disposing of their lines to local dine-and-dance spots, with the result that if a band originates in Chicago it is usually ignored by WOR, which broadcasts its own band pickup at that time. The same is true of New York, WGN pays off in similar fashion. Mutual's management last week has been going to the city streets to put the selection of bands for network schedule on a basis of their own interest in the various originating points to submerge their local interest for the common good of the network.

FRANK DAILEY MAY ADD COLUMBUS SPOT

Deal is in the works whereby Frank Dailey, owner of Meadowbrook, Cedar Grove, N. J., will either take over the spot or help in the operation of Lou Peppe's Valley Dale Ballroom, Columbus, O. Spot would be known as Frank Dailey's Valley Dale. It is to operate under the same sort of name band policy as his present Meadowbrook.

Valley Dale is situated a mile outside of Columbus, on 13 acres of land. It is to open on August 1, approximately 1,400 people inside and another 1,400 in a summer garden. There is parking 'pace for 1,000 cars.

Inside Stuff—Music

Sammy Kaye's Republic Music Co. has two sheet music bestsellers riding currently. They are "Daddy" and "Until Tomorrow." Kaye makes the only band leader that has capitalized heavily on his own publications since the break between the networks and our ears. He has a number of other bandmen either own or have partnerships in publishing firms. Some of the other maestros who control their own indie music pub firms are Guy Lombardo, Glenn Miller, Gene Krupa, Tommy Dorsey, and a list of others.

Clarence Gaskill sold 1,000 copies of his newest song, "Love America, or Leave It Alone," after singing it at a dinner of the Chamber of Commerce of Staten Island. The buyer was a dentist who had attended the event as a guest of one of the chamber's members. As a result of the dentist's break the diner approached him and asked where he could buy some copies of the song. Gaskill asked him how many he wanted, and the stranger Guy Lombardo. The next day Gaskill got the order in writing. Santly-Joy-Select is the publisher.

Songwriters Protective Association Inc. at the request of a signed agreement from Broadcast Music, Inc. As the result of Bill Irving Caesar, as president of the SPA, sent over two weeks ago a blank form of the SPA's contract for publishers.

Under this agreement the publisher delegates to the writer the right to determine what shall be done with his performing rights and grants the SPA the right to co-administer all synchronization rights in the works of an SPA member.

Publishers affiliated with the American Society of Composers, Authors and Publishers have been turned down by the American Music Publishing Co. and the D.S. Corp. for the right to publish their lyrics in song sheets put out by the two outfits. D. S. and Chartlon have such licenses from Broadcast Music, Inc.

Chartlon calls its 10-center the Big Song Magazine, while D. S., jointly owned by Richard Davis and Walter Scovool, distributes two nickel sheets, Song Parade and Song Leader.

D. S. Publishing, which has an exclusive tieup with Broadcast Music, Inc., for five-cent songs, is putting out an edition for street sales, the "Book Leader." Its other nickel compilation of BMI tunes, "Song Parade," is confined to stand distribution.

BMI has also sold its lyric rights to a dime publication, "Big Book."

The Edward B. Marks Music Corp. lost a plea for summary judgment against Steany Music Corp. and Betty Y. Feder. The case was argued recently when Judge Alfred C. Coxie denied the application. Dispute involves rights to the song "Alta En El Rancho Grande."

Boys was written in 1927 by Silvano R. Ramon, a Mexican, and assigned to plaintiff in 1934. Defendant is said to have published and licensed the song. An injunction, accounting of profits, and damages are asked.

Broadcast Music, Inc., has discharged arrangers, copyists and proofreaders in appreciable numbers. It has also cut its publicity staff practically in half. BMI's explanation is that the organization has merely stabilized its payroll and personnel requirements.

Ralph Austran to L. A.

Ralph B. Austran, assistant v.p. of RCA Manufacturing, left last week of the west coast to hold a series of meetings with local company execs and visit the various studios. He will be gone three weeks.

CHARLIE SPVAK

and his orchestra
GLEN ISLAND CASH—CBS—MEM
OKEN RECORDS
MANAGEMENT
GENERAL AMUSEMENT CORP.

JOHNNY LONG

and his orchestra
HOTEL NEW YORKER
NBC—DECCA RECORDS
MANAGEMENT
GENERAL AMUSEMENT CORP.

DAVE DALY

and his band
PLAYING CARD
BYE BEACH, NEW YORK
WGC—Merrol
MANAGEMENT
GENERAL AMUSEMENT CORP.

Pan-Am Bad-Will

Continued from page 3
...ors feel, and that junksies in time like these are definitely out of place. Unusual feature of this reaction is that it is really different from the opinion prevalent even three months ago. This correspondent at that time, after talking to a number of newspaper editors and other headquarters here in this No. 1 metropolis of South America, found them enthusiastic about the idea of more plane and boat trips by the glamorous boys and girls, figuring that first-hand contact with the figures they had long admired on the screen would be a closer, more intimate relationship than anything else.

That feeling still holds among many—but the number of those who are definitely opposed to the idea is increasing, and the opponents are among the most clamorous and those truly friendly toward the U. S.

Argentines "More Serious"
South Americans, and especially Argentines, like questions of what is and what is not done far more seriously than Yenculsi. It is pointed out that the well-understood idea is still not understood by most people north of the border who figure that the United States practices occur there in the States, they ought to work here.

Just so bad, it's explained, is to be sure that the United States is a free country, but on the other hand, successful, former plx begins should be made into Latin-America.

"What Means as New Yorkers are unlike 'skinny', one editor, who is a leading Chilean paper walled.

"When the official word is often called upon by both the U. S. Embassy and film industry reps because of his extensive knowledge of the relations of his people to foreign affairs, put it this way:

"What's the impression do you think we get when we find that we're to be courted into becoming better acquainted with the stars of Hollywood? I know that you from these but my admission do not dance. They simply get ground down by the hand and listen. Taking that is one thing, but I think that his dates will be more courteous that his employees concerned.

Frederick Hainlander has been assigned to write the music score for "Mr. Jordan Comes to Town," at Columbia.

ful—now that he realizes how important it is to see something that will offend anybody. Then he says around a round of visits. He's on the move from morning to night being rushed around in the way you rush around in New York. He says he has a charming vivacity and our ears and our gauchos. Then he leaves for the next place to repeat the performance.

OK When Times Are Good
Idea, the official added, is all very well when times are good and the presence of a charming vivacity naturally gets across to the public. But well with European trade cut off, with the trouble in Germany and with Nazi propaganda becoming stronger and with the actual danger from the Italian invasion, it is not many South Americans feel star visits are clowning at a time when the script calls for something else.

Another official explained that while the recent visit of Doug Fairbanks Jr. in Baltimore was generally a success, a not unsizeable number of people to whom it had talked felt it was not the best possible occasion. President Roosevelt to have sent him known as an actor on an official mission. Fairbanks, who spent much time in the past two years away from Hollywood in the United States, was generally regarded as a high-ranking personality because of his personality and his fame. But stars who do not have White House blessing are not likely to have the same entree.

Cliff Fischer

Continued from page 3
and underwriters like that invariably know which way the wind blows.

Fischer had a protective clause with his people in case of no-sailings and kindred international emergencies, and instead of being a plant his show to Hollywood into a new idea on which he has been planning. Features of it include a large capacity, but he's withholding details until his location is signatured.

As it was, people like Fritz and Jean Hubert refused to accept contracts for the S.A. booking; Yvonne DeCarie wanted to sign for two to eight weeks, and not eight months to a year; that Fischer hoped to tour Europe and South America. Some of the chorus girls' parents also balked at the kids sailing in these areas, although this problem was not wholly prohibitive, as he had enough of a show lined up to meet the standard requirements.

The William Morris agency and others who made previous bookings arrangements for South America are not encouraging any future dates now, until the international crisis settles or the other way, as elsewhere reported in this issue. Louis Massey refused to sail last week for the Tabaris, Buenos Aires, Brazil, and Santa Christine and Trudy McGee line of seven, per schedule.

Artie Shaw

Continued from page 3
all the features Shaw has been using since his entry into the music biz. It will include the Gramercy Five (with the exception of the organ) who has been making jazz recordings, the 14-piece sextet he discarded when he was in the States, the 12-piece band, and a 33-man septet similar to the one he has been using on Victor Records. The features of the various combinations will depend on what each particular composition demands for best results. For complete details of what will play native American music of the late 1930's, see the column by writer of "Lenox Ave. Suite," and according to Shaw, will not be a symphonic jazz group, but will attend to each separate tempo in turn, even though one or more is in the key of the other.

Symphonic jazz is a combination of two styles.
None of the dates to be played in New York will be for dancing. They will be straight concerts. One of the most important features of the Shaw band is that it is the first to play by outstanding bands the greater portion of their set, with admission to no dance. They simply get ground down by the hand and listen. Taking that is one thing, but I think that his dates will be more courteous that his employees concerned.

Frederick Hainlander has been assigned to write the music score for "Mr. Jordan Comes to Town," at Columbia.

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by operators to VARIETY. Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures in parentheses indicate the number of weeks each song has been in the charts and respective publishers.)

1. Daddy (3) Republic.....	Sammy Kaye.....	Victor
2. Intermzzo (9) Schuberth.....	Benny Goodman.....	Decca
3. My Sister and I (4) BMI.....	Jimmy Dorsey.....	Decca
4. Aurora (2) Robbins.....	Andrew Sisters.....	Decca
5. Nightly Night (2) Beacon.....	Jimmy Dorsey.....	Decca
6. Amputa (14) Marks.....	Red Jorgensen.....	Decca
7. Hut Hut Song (1) Schuminn.....	Freddie Green.....	Bluebird
8. Dolores (11) Paramount.....	Bing Crosby.....	Decca
9. I Understand (12) Feist.....	Woody Herman.....	Decca
10. Music Makers (8) Paramount.....	Jimmy Dorsey.....	Decca

DISKS GAINING FAVOR

(These records are directly below the first 10 in popularity, but growing in demand on the coin machines.)

Marie Elena (Southern).....	Jimmy Dorsey.....	Decca
G'bye Now (BMI).....	Tony Pastor.....	Bluebird
Green Eyes (Southern).....	Horace Heidt.....	Columbia
Everything Happens to Me (Emboss).....	Jimmy Dorsey.....	Bluebird
Let's Get Away from It All (Embassy).....	Tommy Dorsey.....	Victor
Do You Worry? (Melody Lane).....	Woody Herman.....	Decca
Yours (Marks).....	Jimmy Dorsey.....	Decca
South of North Carolina (Porgie).....	Vaughn Monroe.....	Bluebird
Things I Love (Campbell).....	Red Jorgensen.....	Decca
Rose and a Prayer (BVC).....	Jimmy Dorsey.....	Decca

Coin-Charting Record Possibilities

Gene Krupa "Green Eyes"—"Throwing Pebbles at Millstream" (Okeh 6223)
Krupa shows no taste whatsoever on such things as "Green Eyes." After playing "Green Eyes" for a while, he turned to "Throwing Pebbles at Millstream" from a backed and buttered arrangement of a good tune. An awkward tempo that didn't suit Krupa's vocal sound but, Anita O'Day gets aboard late in the record. Krupa's "Green Eyes" is a good record, but "Millstream" is better. Dulcany vocals again, but gets more cooperation.

Billie Holiday (four sides) Decca 23218-23219
The Continental chanteuse from Milwaukee, who is a slick in the class cases, registered so solidly on Decca with her version of "Last Time I Saw Paris" easily the best of the vocal warworks, that Decca's Jack Kapp put her to work fast with some encore. Her "I'm Gonna Get That Man" and "Special" by Coia Porter, are backed on the same side as "Last Time I Saw Paris." "Little Case Down the Street" with "You Will Remember Vienna," the thematic which Anita Sosenko authored for her, and "I Wishful," another tailored arrangement that still sits tight in jukeboxes, and the nostalgia appealing without oversteering. To self-pano accompaniment, and with Victor Sonnie buttoning a full orchestra, all four are given as luxe presentation on Decca's "Personality Series" (red labels) look like chinch best.

Eddy Duchin "Mountains Men Moment"—"Pebbles in Millstream" (Oeh. 36170)
Two tunes that fit Duchin's style and do ease saleable work on them. They're in tasteful arrangements and are easily capable of figuring in whatever play the tunes get in machines or elsewhere. First side is pleasantly delivered with Johnny Drake and Earbenders vocal and Duchin piano tunes. Reverse draws same comment. Vocals by Tony Leonard.

Teddy Powell "Time My Hands"—"Boogie Downbeat" (Bluebird 11176)
Powell exhibits good work on first side, a smoothly played and well noted. Ruth Grayford vocal. Backing is a concession to juve humor. It's unexciting.

Joe Reichman "The Piano Maestro" (Albanum Victor P-64)
Joe Reichman joins the piano-maestros like Eddy Duchin and Carmen Cavallaro, both of whom have backed rhythm albums for Columbia and are presently, with Teddy Powell, Victor's "Piano Reveries." Utilizing Reichman's "The Piano Maestro" is a new recording. Reichman's "Easy to Love," "Lover, Come Back to Me," "Indian Lull Call," "My Heart Belongs to You," "Follow Me," "I'm Gonna Get That Man," and "The Piano" to use his own billing, is a new recording. In that sequence, the "Paganini Concerto" is a full orchestra, all four are given as luxe presentation on Decca's "Personality Series" (red labels) look like chinch best.

Clara Thornhill "Al I Need"—"Forth of Gates Fair" (Okeh 6234)
Machines so far haven't found much use for Thornhill's advanced stuff. Five of these should give 'em opportunity. A sizable version of a super ballad, impregnated with all the outstanding jukebox tunes of the day. Dick Harding vocals. Reverse is one of Thornhill's super-records, stamped with the points that has gained the band trade attention. For average consumption it's not a good cut.

Mary Mae "Hot-Sut"—"Mary Lou" (Decca 3814)
More swings at "Hot-Sut" might find better favor, because the best of all. Some of the band juke might find better favor, because the best of all. Some of the band juke might find better favor, because the best of all. Some of the band juke might find better favor, because the best of all.

Frankie Marshall "Hot-Sut" (Okeh 6223)
Frankie Marshall "Hot-Sut" (Okeh 6223) is not as well done and rates as a repetition lyric. It's backed with a pleasant what at "I Went Out of My Wits" a pleasant tune. A figure which Ella Logan tried the tune "I Went Out of My Wits" a pleasant tune. A figure which Ella Logan tried the tune "I Went Out of My Wits" a pleasant tune. A figure which Ella Logan tried the tune "I Went Out of My Wits" a pleasant tune.

CBS FEE SCALE ISSUED

The Columbia Broadcasting System last Friday (20) publicly issued a "proposal for an agreement" with the American Society of Composers, Authors and Publishers covering network business and its owned and operated stations. This proposal provides:

BLANKET NETWORK LICENSE
CBS proposes to pay 2% of the entire network net receipts, minus time discounts and agency commissions and also after deducting costs of permanent hookup lines and costs of doing business calculated as follows:

- 15% of the first \$15,000,000 of net receipts.
- 25% on the next \$5,000,000.
- 35% on the next \$5,000,000.
- 45% on all over \$25,000,000.

Columbia proposes to tie into the network proposal a similar which pertains strictly to its owned and operated stations. If, during the term of the contract CBS itself no longer operates eight stations as at present but operates any lesser number down to and including a minimum of three, an additional amount of \$500,000 per annum shall be added to the network expense stated above less than eight. If the number of stations shall be reduced below three, then CBS and ASCAP shall negotiate the terms of this contract (Continued on page 36)

E. B. MARKS HAS LEUCONA FOR 10 YEARS

Candido G. Galdo, Cuban agent for composers and writers, declared that the only rights which the Warner Bros. subuid, Music Publishers Holding Corp., has in the works of E. B. Marks is Leucona for ten years with option.

Galdo stated that on May 4, 1939 Leucona appointed him attorney-in-fact in 1939 and, as result of this agreement, he Galdo has arranged E. B. Marks the exclusive works of Marks (except Cuba) for ten years written and arranged by Leucona for 10 years from May 1, 1940. Galdo said that had also arranged for certain Music Corp. the right to certain Leucona works written and copyrighted prior to May 1, 1940. In Galdo, words, as pointed out in other words, there is no outstanding agreement with the American publisher, except Marks, the rights to any Leucona work written and copyrighted after May 1, 1940.

RACHMANNINOFF'S SEASON

Set With Philby, Pittsburgh, Chicago Detroit and Other Symphonies

Sergie Rachmanninoff will have some 30-35 concerts this fall and is scheduled already for numerous appearances with orchestras.

Rachmanninoff, whose fees of \$2,500 are tops in the field, will appear in Syracuse, Oct. 14, 17, and 18; in Philadelphia, Oct. 18 and 19, with the Pittsburgh Symphony No. 20 to 30, with the Chicago Symphony Nov. 5 to 7, with the Cincinnati Jan. 8, in Baltimore, Oct. 22, with the Philadelphia Orchestra, in N. Y. with the Philadelphia Orchestra, and with the Detroit Symphony, Dec. 4.

Contrasted to Mutual Fees—

Under the contract prevailing between ASCAP and the Mutual Network...

- 1. The commercial fee under the blanket arrangement is 3% for the first four years and 3 1/2% for the following five years.
- 2. Scale of rates for operating costs, lower than that proposed by CBS, is provided.
- 3. Stations doing business of less than \$50,000 pay a nominal fee of \$10, containing stations with stations of more than \$50,000 and \$150,000 pay on the basis of the highest half hour rate of their national spot rate card, while those doing more than \$150,000 pay an amount equal to their hourly rate per month, or not more than 1 1/2 times the fee paid ASCAP in 1940.

Frozen Axis Music Funds Are Negligible

President Roosevelt's executive order freezing Axis assets in this country will affect to some extent the music business. What sheet and mechanical records are produced for publishers and writers in Germany, Italy and Axis-dominated countries will have to remain here, while of the performing rights group the only one that admitted last week that it might be affected was Associated Music Publishers, Inc., which has numerous affiliates in the Reich and France.

AMP explained that it had been sending over only what money it (AMP) has to pay to German publishers. American Society of Composers, Authors and Publishers stated that it hadn't transmitted any money to Germany in many years because the Nazi performing rights society, which had taken over ASCAP, said it hadn't sent it. ASCAP, Inc., much more than was due it. SESAC, Inc., said it hadn't sent it. ASCAP, Inc., said it hadn't sent it. ASCAP, Inc., said it hadn't sent it.

Bradford Would Examine Buck in \$6,000,000 Suit

Perry Bradford, as assignee of Bradford Music Publishing Corp., Acme Music Publishing Co., and Blues Music Co., applied Monday to the U. S. Supreme Court to be allowed to examine Gene Buck before trial. Bradford is suing Buck, president of the American Society of Composers, Authors and Publishers, and Southern Music Publishing Co. for \$6,000,000. Bradford was loaned \$100 by Southern on Feb. 13, 1934, and claims to have turned over to Southern to some 40 songs to Southern to retain until the money was repaid or sufficient royalties had accrued to make up the balance. It is alleged the defendant Southern refused to return the songs, although payment was offered, and that Southern and ASCAP have resped millions in profits from the songs. Defense is a general denial and an assertion that the songs are worthless.

Berlin to Toronto

Irving Berlin traveled up to Toronto last Friday (20) to appear on a Canadian Broadcasting Corp. show, which one of his new tunes was introduced. It's titled "When This Great World Is Gone Again." Barry Wood's vocalization of it was aired by shortwave to England as well as by longwave to the States. Wood also sang Berlin's "Arms for the Love of America" and Berlin wrote the "Bless America" on the special show.

Joe Charles and Ed Seiceto, Philadelphia, will use that for technical copyright clearances? Lombardo stated that when Vocco

Duffy Forces ASCAP Rep To Reveal Vex. Income; Tavern Men Fight Hard

Milwaukee, June 24. Sniping against the American Society of Composers, Authors and Publishers still goes on in the courts here. Judge R. Egan Duffy taking another pot shot from the Federal bench this past week in ordering Robert A. Hess, ASCAP's Wisconsin secretary, to reveal his 1940 income. It was disclosed that approximately \$60,000 in fees was collected in this state during the year for the use of copyrighted ASCAP music.

Previously, in a hearing before Court Commissioner Morris Stern, Hess had refused to give any information regarding ASCAP finances. It was sought by Fred R. Wright, legal rep. for Wiley Young, president of the Wisconsin tavern keepers' association, who is being sued by ASCAP for \$250,000 for alleged copyright infringement. The tavern men's organization is fighting the case every step of the way, to obtain court rulings that will have their effect on many other cases now pending.

Hess declined to give information sought before the court commissioner, the questions were certified to Judge Duffy. A demand that "ASCAP financial records be produced in court was dropped when the secretary disclosed the secretary's 1940 Wisconsin income. A demand for other documents wanted by the tavern men's attorney was taken under advisement.

It is reported that the tavern keepers' lawyer publishing what ASCAP collected, now want to find out in detail just how the money was disbursed.

Rocco Vocco, Loyal to ASCAP, Decides Not to Take Over Lombardo's Firms

At the last minute a deal for Rocco Vocco to take over Guy Lombardo's two publishing companies, Olman Music Corp. and London Music Co., Ltd., was called off. Vocco, who considered leaving Bregman, Vocco & Conn, Inc., of which he is president, and operate Olman and London Music, the latter of which is BMI, decided that, primarily, his loyalty lay with the Society.

Guy Lombardo, who is currently appearing at the Embassy Ballroom, said Tuesday that he and Rocco Vocco still wanted to both of them because we still want to get out of the music publishing business. There's been so much resentment about handshakes who are publishers that I just want to bow out. It's never been worth the trouble. Guy Lombardo said as a convenience to clear independent tunes for BMI rights, but we never made head nor tail anything with either firm.

As a matter of fact, Olman Music has been closed for some time, since last October and Jimmy Campbell just left our London Music firm and we'll just use that for technical copyright clearances? Lombardo stated that when Vocco

Warners Axe Staffs

Warner Bros. publishing group last week issued notice to eight members of its professional staff and six of seven at Warner Bros. It's the first wholesale letout in this organization since the break between the network and ASCAP Jan. 1.

Among the professional men affected are Mickey Addy, Irving Brown and George Schell, of the New York staff, and Al Beilin, Joe Burns and Herbie Lutz, of the mid-west staff. In addition to notices salary cuts were imposed; some of these, it is said, amounting to 40%.

Al Beilin's Background
Chicago, June 24. Al Beilin, for past three years music representative of Remick, has been let out. Beilin is one of the real veterans for Chicago music field. No replacement yet selected.

Song Bootleggers Nearly Driven Out of Business

Walter G. Douglas, chairman of the Music Publishers Protective Association, last week informed the NYPA's membership that as the result of a mop-up by members of the Federal Bureau of Investigation and New York police the end of bootleg song sheets is imminent. The NYPA distributor of contraband song sheets left in the country, stated the letter, was operating out of a mid-city and this situation, Douglas said, would be cleared up shortly.

The roundup that New York City produced the printer as well as the distributors, and street hawkers of the bootleg song sheets. Those arrested were arranged before U. S. Commissioner James Platt. Of this group the two printers and the distributor were held each in \$1,000 bond. The others were each required to put up a bond of \$500. The raided printing plant, operated by Alexander Alliani and Fernando Costa, allegedly turned out 30,000 illegal song sheets a week.

C. F. Twankins, Philadelphia, sold his F. De-Kissed Valley to a distributor for a forthcoming Gene Autry screen saga.

CALLS PROPOSALS 'CASE - BUILDING'

Niles Trammell, NBC exec, has advised ASCAP that as soon as he has cleared up some matters he will have stepped up in his office because of his protracted stay in Washington. He would almost at once get over the terms of a licensing contract.

He said that he had hoped to do it within the next day or two, meaning today (Wednesday) or tomorrow. At the time it was pointed out has NBC broken off negotiations with ASCAP since early in the week, NBC exec, got into the picture five weeks ago.

The feeling in the music trade yesterday (Tuesday) was that for the first time since the Jan. 1 break NBC and ASCAP were actually somewhere near a reconciliation.

Probability of CBS and the American Society of Composers, Authors and Publishers sitting down in the immediate future to consummate a reconciliation was shattered Monday (23) when the ASCAP board of directors voted to refer the contract to the Federal Bureau of Investigation that same day to (1) its regular counsel, Frohlich & Schwartz, and (2) to the opinion that the Society has recently retained to start a triple damage anti-trust action against Columbia, BMI, BMI and the National Association of Broadcasters. The ASCAP board was of the opinion that the letter which accompanied Columbia's proposal constituted in itself a strong indication of a settlement.

There were some indications late yesterday (Tuesday) that NBC would, before the current week was over, (Continued on page 36)

ASCAP SPLITS UNION FOR MORALE

Board of directors of the American Society of Composers, Authors and Publishers voted Monday (23) to distribute \$100,000 in royalties to this membership for the second quarter of this year. The checks were sent out during the week of July 7.

The divvy is said to be the purest split since the start of 1940. Couple board members suggested that the distribution be made substantially less than what they felt that since the money was available it might be turned over intact to the members at this time for their favorable effect it would have on morale. The motion, however, was also figured that with a normal ASCAP check on hand publishers would be encouraged to let their staffs in spite of the protracted business break between NBC-CBS and ASCAP.

MBS' LUNCHEON FOR PUBS IS POSTPONED

Mutual Network will give that luncheon for publishers affiliated with the network, when the Mutual managers next Tuesday (31). The feed had originally been set for yesterday, but with the Mutual general manager, who arranged the event and was to talk to the publishers over time, Mutual co-operation between the network, later found that the date of the luncheon for the senate hearing on the White resolution on that day.

Due to the White resolution on that day, the luncheon to band leaders and booking office executives has yet to be set.

It's Now Ex-Benny the Bum

Philly Nitery Operator Deplores Trademark 'It's Worth a Dime Anyway'

Philadelphia, June 24. Benny the Bum, left link with the local speak era, is plotting another comeback in a flab-for-two operation. But without the usual trade mark. Sippers and snackers will hereafter know him by his given name—Benjamin Fogelman. It'll be the same intimate spot billed as Benny the Bum's until the Fed agents contacted all the liquor refreshments couple months ago in lieu of taxes. New billing will be on the amiable side, something like "The Epicure" under the management of Benjamin Fogelman. Everything will be the same but the name, says Fogelman, figuring on a July 4 preem to make the opening a big bang.

As Benny the Bum, Fogelman became a rather fabulous character. Ever the late Haywood Brown once devoted a whole column in praise of the Bum's after-dark hospitality. "Moniker was once taken worth a million, but now Fogelman says it isn't hardly worth a dime, referring to what he continually turned down deals to allow the name to be used on other cities. One of his latest says, a New York combine offered him a 20% absentee ownership for permission to use the name on an exclusive Benny the Bum's in New York's east side. Blames union and an ill-fated trip in New York trying to cater to the masses for the trademark's deterioration. His former main stem spot is now the Club Ball.

Only other time in the past that Benny's tag was used was when NBC stretched a network wire to the bum nitery for dance remotes. Net officials wouldn't consent to use the Bum to identify the originating point and announcers called it Benny's Casino. Benny yanked the wires out pronto.

CANTOR OUTDRAWS 'SCANDALS' IN A. C.

Atlantic City, June 24. The s.a. of George White's famed "Scandals" at Hamid's Million Dollar Pier here was a definite second in boxoffice try to Eddie Cantor's p.a. at the Steel Pier.

This despite the fact that the comedian had only a few people in his troupe while the "Scandals" unit was heavily booked. "Scandals" continues the rest of the week without a definite competition. Cantor was in for just the weekend.

Chaney-Fox Take Leave Due to Fox's Illness

Philadelphia, June 24. Ballroom team of Chaney and Fox dropping out of circulation for a week in Eddie Fox's absence after his recent illness here, but medicine figured it best that he go to Hot Springs, Ark., to complete his recovery.

Meantime, Mayris Chaney hopes to return to look for better business interests. She operates a string of cheapie spots on the coast.

Anger Preps 'Rochester' Troupe Upon Request

Washington, June 24. When he played at the Erie theatre here two years ago, Eddie Rochester Anderson was enthusiastic over a request for his act by the troupe headed by Harry Anger, managing director and production chief at the house. Embarking now on an entirely personal appearance tour, the radio and picture comic has again come to Anger, this time for staging the act before it hits the road.

First which Rochester heads also includes Eddie Birch, a Dixie Jubilee orchestra and Walton and O'Rourke. First week of the projected six-week June season Friday (27) at the Erie-

Palmed the Wrong Pot

San Francisco, June 24. You can swipe anything if you're bold enough, Karl Romanine, local theatrical phony, discovered this week. Night club dancer got perkish from her boss to borrow a palm tree as atmosphere for studio shots, so Romanine sent a truck for the potted forest. Didn't discover until the gal showed up for pictures that he'd gone to the wrong nitery and picked up somebody else's tree.

Took it back next day and nobody knew the diff.

WSM HILLBILLY TROUPE UNDER CANVAS

Nashville, June 24. 'Grand Ole Opry,' WSM's Saturday night hillbilly show opens its first road tour at the 300 in Bainbridge, Georgia. The Opry will tour Georgia, Alabama, Mississippi, Louisiana, Arkansas, Missouri and play all towns with 5,000-10,000 population.

It'll sail Monday through Friday with cast, then returning to WSM for the Saturday show. Seven trucks, 3,000 capacity tent, and two lighting units as well as six changes of scenery are included in the mobile equipment.

Roy Acuff and the Smoky Mountain Boys, Jam-Up and Honey, Uncle Dave Macon and his son, Fred nucleus of the show. This party will play all dates, with other acts from Opry being included in dates where they will most popularity.

The tour will close September first.

Carroll's, Philly, Cited On Liquor Violation Rap

Philadelphia, June 24. Carroll's Cafe, downtown supper club featuring a burlesque floor show policy, was hit hard by the State Excise Control Board on Saturday (21). Stanley H. Carroll, operator, ordered to show cause why his liquor license should not be revoked. Hearing set for July 1.

Six violations were slapped against the spot, including Sunday sales permitting dancing and entertainment after hours, improper entertainment, permitting liquor containers to associate with the patrons, insufficient illumination, and for advertising the type of entertainment outside the premises.

Marks third time Carroll's has been dismissed, but the second citation, in February of this year, resulted in a 60-day license suspension which was compromised by payment of the per usual \$10-per-day fine rate. This has been a terrific loss since last fall, when the strippers came in.

COURTING CABBIES

Jersey Roadhouse Operator Throws Party as Big Gesture

Philadelphia, June 24. Neil Deighten, who earlier in the month opened a roadhouse on the Jersey side, calling it Deighan's Cafe, has made sure that the taxicab drivers in town all think well of him. Cabbies have been known to make or break many a road spot and he has been a real party to them.

He invited all the Yellow Cab drivers to his gay spot last Thursday for a party—on the house.

'SOLDIERS BROKE, SOLDIERS SHOWED UP'

R. E. McIntyre, Biz Manna center of Troupe, Tells of Obstacles of Camp Touring in Explaining His Outfit's Bad Beating During 2-Month Trip

DROPPED \$8,000

'Soldiers are always broke,' lamented McIntyre, business manager of All-American Musicals, Inc. in explaining how come the outfit took such a bad beating during a two-month tour of Army camps with a 30-performer revue and has withdrawn from further military ventures.

"When we'd arrive anytime after the fifth of the month," McIntyre moaned, "the morale officer would say: 'Gosh, it's a shame you didn't get here during the first couple days of the month, right after the boys got paid and had money.' And when we'd get into camp on the first, second, third or fourth, the morale officer would say: 'Gosh, business is going to be punk. The boys just got paid and have all gone to town to make hay.'"

"It's only one of several reasons, however, why All-American Musicals, produced by H. S. Booker, who's producing all over the world, dropped \$8,000 on a \$20,000 investment."

"It's not a straight commercial unit and should not be confused with free shows now playing camps where it is necessary to use the money financed by the United Service Organizations."

Film Conflict

There's no point in going out, McIntyre declared, unless it is determined in advance that the camp will cancel its film shows while the picture is playing. At a number of camps where it was necessary to use the picture theatre, post officers refused to cancel even one of the two film performances nightly, forcing the All-American troupe to start its performance at 10:45 P.M. That meant obtaining the commanding officer's okay for the soldiers to stay up an extra hour, and, even so, the boys were anxious to come, with the necessity of arising at 5:45 A.M. starting them in the face.

Letter to the War Department brought immediate okay to show the film, McIntyre said, but many of the camps would not use the film it made trouble in filling out different reports on the usual ones. "It's not a tremendously successful unit," McIntyre said, "but we've made the films and went to major on plastering the contentment with 150,000 and 15,000 theatre goers."

Even so, of the 10-day stand at Shelby, one day produced \$2780 in receipts. On the nine-day run when the soldiers were all out after only 12 hours notice to Booker.

Manna, who's in the outfit, coin was (Continued on page 38)

HOSTESSES GET TABOO VIA PA. NITERY LAWS

Philadelphia, June 24. Grave concern shown by nitery operators here over the passage of a bill by the State legislature to put hostesses on the spot.

Giving a 100 to 100 of a stamp to recipients of the State statute prohibiting the employment of women 'hench' customers to put on the line. Measure even bans the boss' daughter from tending bar.

Bob Pooley, WTAC, Worcester, orchestra leader, has added another vocalist to band—Ray Rowe, a Dixie trot. Ray Doyle also is band hand.

Gertrude Lawrence Completes Plans For Entertainment at Camp Edwards

Cut-Rate Khaki

Los Angeles, June 24. Men in Uncle Sam's uniforms get a break under the new rules adopted by Fox-West Coast theatres, and indie groups are multiplying the same idea.

Under the whitened admission system for service men, admissions of 40c and 50c are reduced to 25c. Tickets selling to ladies at 30c and 31c will go to the uniformed boys at 21c; 30c and 21c prices are lowered to 20c; 25c to 17c, and 20c to 15c.

CUT RATES FOR SERVICE MEN BIG IN S.F.

San Francisco, June 24. Cut rates for men in uniform, inaugurated at all Fox-West Coast houses, are being extended to other houses following suit, are clicking big with the boys. Most notable reaction is from sailors, who have been based here for years at Mare Island Navy Yard and never got such a break before. "Gosh, can't hardly believe it when the cashiers return their change. Drafts take it for granted mostly."

One Fox house was approached by visiting British troops, who were given the same service rate.

With probably 50,000 service men stationed in this area, houses here are expecting heavy play. Patriotic theatre will benefit theatres on average runs, but will cut losses many times when big is brisk. New scale broke simultaneously with 'Caught in the Draft' at the Paramount, playing to capacity anyway, jump in cut-rate seats denied the possible gross elsewhere. Gold Gate (RKO) with Andrews Sisters on stage, is delaying introduction of the service rate undoubtedly due to the heavy demand for seats this week.

Show-a-Day by H'wood Talent for Cal. Camps

Hollywood, June 24. Committe handling film talent for Army camp recreation has set up a route and is organizing a new show, slated to open at Camp Edgewood, June 27.

Most of the circuit consists of Camp Haan, June 28; San Luis Obispo, June 29; Camp McQuade, June 30, and Hamilton Field, July 1.

M. D. EYES HILDEGARDE

Singer Eyes Had Indefinite Throat, Missing Club Shows

Chicago, June 24. Hildegarde, currently starring in the Camella House of the Drake hotel, was under doctor's care for the past week due to an infected throat.

Missed the weekend appearances but returned to work last night (Monday).

Pete Herman Reopens

New Orleans, June 24. Pete Herman, former banian-worm champion of the world, reopened his Club Plantation, closed some time ago, for redecoration, Thursday night (19).

Gertrude Lawrence has completed plans for a comprehensive entertainment program at Camp Edwards and a talent search among the soldiers, who will later appear on shortwave broadcasts to the soldiers of Britain, via.

Miss Lawrence heads the Entertainment National Service Association in America and has had her plan approved by Lt.-Col. Paul Murray, camp commander. In addition, she seeks latent writing talent at the camp by holding skitwriting contests, with prizes awarded, winners. In turn, she hopes to have British soldiers broadcast similar programs to the boys here.

Miss Lawrence participated in a 'Broadway Calling' broadcast from WRUR in America and has had her plan approved by Lt.-Col. Paul Murray, camp commander. In addition, she seeks latent writing talent at the camp by holding skitwriting contests, with prizes awarded, winners. In turn, she hopes to have British soldiers broadcast similar programs to the boys here.

"I worry for our beloved land, but I do not fear for her, because I know that with England victorious, it means the salvation of the world of this world, and I believe that it is His will that we should perish, but His desire that we prove worthy of our."

"Forgive my seriousness. I am only echoing the thoughts of every Christian and try to forget our world today, and it is comforting to know that we shall all come out of this with more than just a generation of relief."

"So, now, let's enjoy this hour together, and try to forget our world today, and it is comforting to know that we shall all come out of this with more than just a generation of relief."

"Fine and lovely songs including, 'We Sing Several Songs,' and introduced a new number, 'New Moon Over England,' written by Patricia Van Allen, an English girl now residing in New York, who is her accompanist for Miss Lawrence.

The remainder of the half-hour broadcast included recorded selections by Lanny Ross, the Bailey Sisters and Ben Bernie's orchestra. This was followed by a return broadcast from England which she heard in WRUR's Studio.

ARMY CAMPS NO AID TO N. O. CAFES, THEATRES

New Orleans, June 24.

Although hundreds of soldiers from nearby army camps come here to spend their leisure hours at the bars and night clubs in the French Quarter and the theatres of the city, they are prohibited by law from being entertained in the town during their military stay.

The reason why the night clubs and other drinkeries haven't been cleaning up on the visiting soldiers' money is that the Army and Navy departments have given the boys more credit than they are entitled to. The Army and Navy dreamed excitedly that the

No Teasing Allowed

Philadelphia, June 24. Carnival coming to nearby Gloucester City on the Jersey side with its usual parade and the time off with pay, for John F. Gorman, the mayor in that city, says there will be no teasing Gloucester. "I don't want to see any of the boys, a carry had to leave town before its scheduled stay was up and I don't want to see any of the girls, shows objectionable. World Famous Shows, Inc., sponsored for a week's duration of the parade and the parade. Clubs, quit after three days."

Night Club Reviews

RHUMA CASINO, CHI

Chicago, June 20. Tilo Gauder, Edna Sedgewick, ...

Taking over the hull of the fire-wounded Three Deuces ...

Ear Carroll's, H'wood

Hollywood, June 17. "Doc" Rockwell, Borrah Minevitch's "Think-a-Lot" ...

This being the tourist season and ...

The yokelry will find much to their liking in this opus of patriotic fourth and Latin America's ...

Borrah Minevitch's Basicals (sans Borrah) are as rowdy as any ...

EMILE BOREO

The International Star Appeared with Clifford Fischer's "Follies Bergere" ...

Low Natter, Latin Quarters, Miami Beach, Fla. 5 Mos.

Now HI-HAT CLUB, Chicago

Indefinitely Thanks to Clifford Fischer, William Morris Staff, Al Borda, Lou Walters, Herman Bernie and Gregory Taylor for making my tour in America a success.

Interpolated with a corry bit from "There Will Always Be An England" ...

Blue Room, New Orleans (HOTEL ROOSEVELT)

New Orleans, June 19. Lou Breeze Orch, Marjorie Knapp, Bob Bromberg, Ray Tuna Knapp, Evelyn ...

Ray Gilbert and Bobby O'Brien have concocted the score, turelino spots ...

HURRICANE, N. Y.

Billy Vine, Honey Chile Wilder, April Ames, Joey Hodges, Lino (6) ...

The Hurricane, which shuttered during the winter after finding the ...

Havana-Madrid, N. Y.

Line (6), Aida Rodriguez, Fey Torrens, Alberto Torresen, Ramon ...

The Havana-Madrid is taking advantage of the Pan-American wave ...

Ad Ames was with "Louisiana Purchase" until its recent Broadway fold ...

Miss Billy Vine. His intros are tried and stilled and little more can be said for his separate ...

with the customers have a chance to exercise the vocal chords ...

Everything is built around him, with his hand-picked artists furnishing the sole entertainment ...

The floor show, while modest in quantity, makes up for any deficiencies ...

Trying to make it to New Orleans after a one-night stand at Texas ...

WALTER WINCHEL, N. Y. Daily Mirror, New Yorkers: Billy De Wolfe's ministry at the Rainbow Room ...

ROBERT W. DANA, N. Y. Mirror, ...

MALCOLM JOHNSON, N. Y. Star with Rainbow Room ...

DOROTHY KILGallen, N. Y. Journal-American, ...

DANIEL WALKER, Daily News, To this country's Preferred List—Add the good antics of Billy De Wolfe at the Rainbow Room ...

FRANK CONNIF, N. Y. Journal-American, ...

WILLIAM HAWKINS, N. Y. World-Telegram, ...

ABEL Varizotti, Comedy highlight and best savor of the comedian Billy De Wolfe ...

The Billboard "Possibilities"—for LEGIT MUSICAL! ...

Cadence, Buenos Aires

Buenos Aires, June 10. New spot occupying downtown groto is the first attempt by a danceband maestro here to operate his own ritery ...

ACCLAIMED BY THE PRESS NEW YORK'S NEWEST COMEDY SENSATION

THE WOLF IN SATIRICAL IMPRESSIONS

OPENING 12-WEEK THEATRE TOUR WITH SAMMY KAYE, JULY 11-STANLEY, PIT.

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with the customers have a chance to exercise the vocal chords and show off their French, get more of a hand than in live, although Belmont manages to dish out a fairly danceable variety ...

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Shine and Honors to the MAY JOHNSON

Variety Bills

WEEK JUNE 27

Numerals in connection with bills below indicate opening day of show, whether full or split week.

Loew

NEW YORK CITY (28) ... WASHINGTON Capital (26) ...

Paramount

NEW YORK CITY (25) ... State Lake (27) ...

Warner

NEW YORK CITY (24) ... Pittsburgh (27) ...

Independent

NEW YORK CITY (24) ... Baltimore (26) ...

Cabaret Bills

NEW YORK CITY ... Royal Roof ...

LOS ANGELES ... Bar of Music ...

BOOKING THE NATION'S LEADING INDEPENDENT VAUDEVILLE THEATRES EDWARD SHERMAN

1619 BROADWAY NEW YORK COL. 5-0930

Chicago ... Charlie Fox's Club ...

Philadelphia ... Alvin Faiding Ore ...

Cleveland ... Grand Wilson ...

(Continued on page 46)

MUSIC HALL 'N' 7

"Merry-Go-Round," produced by Leon Leonoff, with Music Hall Symphonies conducted by Erno Rap...

Current Music Hall presentation, staged by Leon Leonoff, moves like a ballet and rocks, fortunately, at the end of their usual 15-minute act...

Apparently to pad out this warmer-weather show, Leonoff has placed the M. H. Symphon on the stage in a label "Concert"...

Mr. follows that with another fantasy in slow motion, although one of the technical details of the duo of Mary Raye and Naida...

Mr. Collesso picks up from there with a long-drawn-out, tight wire work clogged with despite Collesso's failure...

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LYRIC, INDPLS.

Indianspoo, June 20. Ted Fio Rito (Cr.), Candy Caned, Alan Cole, Jone and Jone...

Pops bends to be lyrical on the former menu and to the popular, and Ted Fio this week has the best and cool 80 minutes of diversified fare...

Band opens with "Rose of San Antonio" and later, in a medley, "Trombones Do It" and "Cried Myself Blind"...

signed for laughs. Works with baby chicks and corks for eye-fooling, then brings a couple of boys from the audience to get more giggles with his ledgerman.

EMBASSY, N. Y.

Major interest in this week's newest parade shuttle between the streets effects of the sinking of the Lusitania...

Parment also is responsible for the closing compendium of current British successes, such as the return of Selassie to his throne...

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TOWER, K. C.

Kansas City, June 21. Don Hotten, Helen Marjorette, Paul Regan, Marvin and White, Lester Harding, Beverly Bernstein...

A standard variety bill is back in vogue at the Tower after several weeks of units and revues. In 45 minutes it still shapes up as better than average entertainment and doesn't mind its length...

First spot is to Don Hotten, mixing in the swirling and roving spinning with tapping for a snappy act, and the second is to Helen Marjorette...

In the closing spot Regan returns to his usual and most successful act. Pair gets a comic touch into their act...

STRAND, N. Y.

Guy Lombardo Orch (13) with Kenny Gardner, Bernards (3) and Ardables (6), Bobby May, Spott...

For years the Guy Lombardo band has been going along at a steady pace, but of late it has been a case of that never changes in style, tempo and style have thus become insituational.

At the Strand the outfit awakens lively reaction to such arrangements of pops and standards. From opening to closing interlude, it provides new and original...

Bernards (3) and Ardables, sextet of colorless New Act, provide new and original, and are followed after, after a closing interlude, by a new and original...

At the Strand the outfit awakens lively reaction to such arrangements of pops and standards. From opening to closing interlude, it provides new and original...

GOLDEN GATE, S. F.

San Francisco, June 18. Andrew Sisters (3), Joe Jackson Jr., George and Rogers, Frank Frantz, Jimmy and Peggy...

A markedly colligate aggregation of adoring Jive has been vogueing at the Golden Gate to give the Andrews Sisters a new and original...

Verne Adams then intrus each subsequent number, acting as front-line in the case of duo "Bluesom Time" got a heavy ovation, but it's the solo work of the duo...

Verne Adams then intrus each subsequent number, acting as front-line in the case of duo "Bluesom Time" got a heavy ovation, but it's the solo work of the duo...

selection closer. Latter is done in section light, for it is not a laugh finish coming when the boys...

Band number and house line's only notes are combined in the key of "Hot Suit Song," novelty which, okay, paving the way for the torrid "Hot Suit Song"...

Apparently to closing is Joe Jackson Jr., and anyone who remembers his dad as the "twine" man as the lad bows on in his saggy baggy blue get-up...

STATE LAKE, CHI

Chicago, June 21. Claire and Hudson, Joan Abbott, Allyn and Allyn, M. J. McGee, J. C. Chick and Lee, State-Lake Orch, "Power Die" (Par).

Straight and solid vaudeville show of Claire and Hudson and well-sung numbers when caught—a Latin-American number...

McGee, J. C. Chick and Lee, State-Lake Orch, "Power Die" (Par). Straight and solid vaudeville show of Claire and Hudson and well-sung numbers when caught...

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EARLE, WASH.

Washington, June 24. Paul Remos and his "Wonder Midlets, Rose Vincent, Stuart-Morrell, and his orchestra, The Rhythm Line (16), Guy Lombardo House Orchestra, "Night in Lisbon" (Par).

Top-notch acts and slick production put in this week's Earle. The first act, it's gay, spry and solidly put together, and it's a real gem...

Top-notch acts and slick production put in this week's Earle. The first act, it's gay, spry and solidly put together, and it's a real gem...

STATE, N. Y.

Fredrosyn (7), Masters and Rollins, and the Trio of Truhan, Patricia Brown and Paul Hanson, "Woman's Power" (M-G).

A strong lineup. Stage show runs a bit overlong, particularly with the Fredrosyn Trio. Fredrosyn (7), Masters and Rollins, and the Trio of Truhan, Patricia Brown and Paul Hanson, "Woman's Power" (M-G).

Simone Simon, playing her second date as a house in about a year, is the victim of indiscriminate handling. Instead of working up to the regular feature and newscasts, but it's a diverting presentation...

STEELE PIER, A. C.

Edie Cantor, Olive Motor, Edgar Fairchild, Gloria Gilbert, Sidney Horen, and the Trio of Truhan, "McClintock's House Orch" (Road Show) (A).

Edie Cantor returned to this resort for the first time in several years. Cantor introduces his young and vibrant work as a female singer. Girl has a sock vocal, wholehearted and youthful, and polite and a little older.

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Lady Exit Speeds 'Hattie' to 26 1/2 G As B'way Topper; 'Rhine' Fine 19G

Spaced calling official summer with 13 attractions...

Estimates for Last Week: Key, C (Comedy), D (Drama), R (Revue), M (Musical), F (Farce), O (Opera)...

'Arenas and Old Lace' Fulton (24th week) (CD-98; \$3.30). Run-down show of domestic comedy...

'Lady in the Dark' Alvin (16th; \$78; \$4.60). Laying off until Sept. 1. Extra space ad calling attention to the boxoffice being open for full performance...

'Life With Father' Empire (64th week) (C-1106; \$3.30). The show is going strongly until heat wave arrived, but gross again better; \$14,500; gross/for previous week; \$14,500; gross/for previous week; \$14,500; gross/for previous week...

'The Who Came to Dinner' Music Box (88th week) (C-1103; \$2.20). May attempt summer holiday but business not so good, though some improvement last week; over \$7,000...

'My Sister Elvira' Biltmore (29th week) (CD-91; \$3.30). Held its own despite the high temperatures, which all helped to depress; still satisfactory \$11,500...

'Fanny' Broadway (26th week) (C-1104; \$4.40). Claimed pace has been lacertous previous week having dropped to \$14,000; tempo, however, more last week with gross around \$17,000...

'Fanny' Empire (4th; \$18; \$3.40). Suspension of 'Lady in the Dark' probably factor in increase of over \$3,000 last week; same for 'Fanny' quoted at \$28,500...

'Sweeney Todd' Plymouth (65th week) (C-1107; \$3.30). Management claimed it would reach number of other stages and that has proven correct under spring pact...

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Fay Way in 'June 16' Fair 4 1/2 G in Montreal

Montreal, June 24. Fay Way in 'Night of Gypsy Kings'... presented by Frank McCoy...

'Girls' Smash In St. L. Bow; Grossing 14G

St. Louis, June 24. Ideal weather, after a week of blistering heat, and a cast of excellent talent made the opening here last night of the revived 'Too Many Girls' a smash hit...

The Rodgers-Hart musical, produced by the Ideal Theatre Co., opened here last night of the revived 'Too Many Girls' a smash hit...

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New Joins Revires

Detroit, June 24. Richard Ney, oldest of the sons in the 'Life with Father' cast now at the Caza theatre here, has joined the 'Life with Father' cast...

However, it marks no immediate rift in the family since, while the young actor enters the 'Life with Father' cast now at the Caza theatre here, has joined the 'Life with Father' cast...

Light Opera Revivals On Five Wks. in L.A., Frisco Show Profit at \$275,000

Los Angeles, June 24. Holder of 'Cabin in the Sky' by the Los Angeles Civic Light Opera Association... presented exceptionally well...

Light opera season of five weeks in Los Angeles and San Francisco may better \$275,000, first time so-called season has shown a profit in several seasons...

STRAWHAT PLAY SEEN SLATED FOR B'WAY

'Village Green,' with Frank Craven starred, may be one of the earliest openings among next season's Broadway crop. Craven, who came east to try out in the strawhat play, returned to the coast early this week...

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Richard Fleischer, Son of Cartoonist, Heads Group in New Strawhat Idea

Richard Fleischer, born '39, son of Max Fleischer, the Paramount cartoon producer, and now doing post-graduate work at the Yale drama course, has taken over the Yale troupe of 12 into Lake Tarleton, N. H., summer resort, for an entire season, with the new 'Strawhat Idea'...

Young Fleischer and his eight young men and four females, all doing post-grad work at the Yale drama course, has been experimenting with the scenery-less theatre...

Frederick Jesner, one-time Max Reinhardt associate in Berlin, now tutoring at Yale on a fellowship, is producing the new 'Strawhat Idea'...

The arena idea of the theatre is being given a try at the Yale bunch. It's been originally suggested by Penthouse theatre of the U. of W. in Seattle, for seven years...

The Russian stage, Theodore Binko on Broadway, but it is well known for his staging of 'The Cherry Orchard'...

Alfred Nicoll is chairman of the Alford Theatre Guild. He is also chairman of the Alford Theatre Guild...

Community Playhouse here opened its eight-week summer season yesterday (Monday) with George S. Kaufman-Marc Connelly comedy 'Begger on Horseback'...

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Reports that William Miles, director of the Berkshire Playhouse at Stockbridge, Mass., was considering some arrangement to extend his activities here upon the failure of 'Fanny'...

Valley Players Bow June 30. Holyoke, Mass., June 24. The Valley Players will open the summer season at the Holyoke Casino June 30 with 'Here Today'...

Kenyon Nicholson and Theron Bamberger, directors of the Bucks County Playhouse at New Hope, Pa., are planning to produce 'The Great Adventure' for the June 30 week...

Through its treasurer, John Golden, the Stage Relief Fund announces that during the season just completed 12 performances for the benefit had been given...

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Chi. Weathers Heat; Adler-Sydney One Off; 'Hellz' 20G, 'Arsenic' 0G

Chicago, June 24. Business around the theatres was good enough last week to surprise most of the theatre men since weathers was averaging in the 90s...

Particularly good was 'Arsenic and Old Lace' and 'My Sister Elvira'...

'Hellzapoppin' at the Erlanger can be expected to stay in town for a long time...

'Arsenic and Old Lace' Grand (11th week) (1,200; \$2.75). Slipped to around \$10,000, but slated to rise...

'Hellzapoppin' at the Erlanger can be expected to stay in town for a long time...

'Father' Sock \$19,300 In 3d Detroit Week

Detroit, June 24. Continuing along brightly, 'Life with Father' has rung up an impressive \$62,000 in its first three weeks here at the Caza...

In its third week the Dorothy Gish-Louis Calhern troupe tucked a nearly \$20,000 behind the preceding \$21,000 and \$22,000 to better an excellent record...

Third season bows July 2. Fifth season of plays at the Dock theatre, Point Chataqua, has been set by the Erie, Pa., Playhouse beginning July 2...

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STAGE RELIEF FUND GROSSED \$22,436

Added Strawhats (Equity-Approved Only) Broadway playhouse, Nuonago, P. I.—Hall Shelton. Cedarhurst theatre, Cedarhurst, N. Y.—Mansfield. Mt. Gretna players, Mt. Gretna, Pa.—Mansfield. There are 12 members, Paterson, N. J.—John C. Webb. His Majesty's theatre, Montreal—Deer Lake theatre, Orwigburg, Pa.—Anthony Parella. Cragmoor theatre, Cragmoor, N. Y.—Hugh Neville. Lakemont theatre, Toledo, O.—Jan Lindsey. American Actors Co., Bradford, Conn.—B. Wile.

ELITE GARR

CO-STARRING IN REHEARSAL OF KING 'HELLZA-POPPIN' ON 'TOUR' BY EDWIN M. KENT 1777 Broadway, New York

Advertisement for 'SHORE' featuring a cartoon character and text: 'NORMAN SHORE and SYLVIA SHORE OPENING JULY 1st AT TABARIN SAN FRANCISCO Management, Wm. Kenny 1778 Broadway New York'

Dramatists Would Not Limit Royalties If Shows Exceed Fixed Guarantees

Dramatists Guild proposes seeking royalties on all money taken in for performance, there being a number of instances in which they are not. It is not although the matter is not a participant either. Principal cases in point are not being made. A guarantee is a fixed sum, but where tickets bring in additional coin, such as those enjoyed by the junior leagues, college organizations and such.

Last season "There Shall Be No Night" played a stock of book nights. Usually the show was paid \$2,000 for a showing, generally staged in auditoriums. Junior league or other organization, under whose auspices the tickets and it is estimated that double or more than the guarantee was grossed. Author says they should receive royalty on that additional amount. Like "Night" (Lunts) other touring companies offer similar guarantee books.

There is no claim for participation by the manager and it is expected there will be no objection from that end, since the management makes for and is fully responsible in financial setup. However, such bookings are not made with the assent of the author.

Amended Pact in Final Form
The amended basic agreement has been finally gotten into final form but it is possible that provision will be made to cover the guarantee of better performance. The author that the author will get a percentage on the "average." Of course, where the sale does not meet the guarantee, author would not receive added royalty but the company manager will be responsible for a total count and collecting from the guarantor.

Idea of participating in the numerous theatre parties on Broadway will probably also be sought by the authors. Any number of performances are sold to organizations during the season, and the authors conducting the parties have extra sets of tickets paid for and sell in various ways to subscribers. In most instances the parties are for charitable purposes and are infrequently tickets with a boxoffice price of \$3.00 are disposed of at \$10 each as pointed out in the conference in royalty on what the boxoffice gets and that actually obtained in an appreciable amount and authors claim they have a right to their contract percentage.

Ann Corio Injury Requires Pair For "White Cargo Lead"

Hartford, June 24.
Unusual situation of having two persons play the lead role of Tony Delroy in "White Cargo" during each performance was unveiled last week at the Capitol theatre in nearby New Britain. Originally lead role was played by Stripper Ann Corio who was stricken with a heart attack at legit. At first show Monday (18) night, burlesque slipped and a second one foot was struck.

Following day show was cancelled. On Wednesday (18) Miss Corio and her associate played the lead role later emoting in scenes requiring motion on stage, stripper taking part in all scenes where little activity was required.

Stripper: It's understood, will not be recovered from her fall for about six weeks. In playing show at Worcester, Mass, this week under unusual conditions at legit in New Britain, but following Worcester date she's cancelling all chores and will probably return to Hartford, her home town, to await complete healing.

Def' Back in N. Y.

Harry Delf returned to New York last week, having been hospitalized for months after a motor car accident which occurred in his life was killed. His mother-in-law and he were badly injured in the smash-up which occurred in the trip excepted to end in Florida. After being discharged from a hospital he returned to New York.

Actor-author completed the script comedy called "It's Born" and will have the end and proposes to present the play next season.

Summer Premieres (June 25-27)

"Broadway—1941," modernized version by Phyllis Dunning of George Abbott's and his Broadway; at Montevideo playhouse, Brantford, Conn. (1-5).

"Tower Beyond Traitors," John W. Gassner's dramatic in verse; poem by Robinson-Jeffers, with Judith Anderson, at Forest theatre, Del Mar, Cal. (2-5).

"Final Answer," by Llewellyn Miller, at Woodstock (N. Y.) playhouse (2-5).

EXTENSIVE TOUR FOR WYNN'S "BOYS"

Most extensive tour of any of the Broadway musicals for next season has been arranged for "The Boys" by Wynn's. The show will play coast to coast, with a fair part of the south included. Show dates in Sept. 1, and the finale is due around next mid-April. Revue was presented on Broadway by a company of 100. The tour will play a number of out of town dates during the spring. The feature of the "Boys" revues is the number of small stands. Around 100 one-nighters have been booked, a modest record for a major musical attraction. In addition there is a stock of two day stands.

Show will be trouped like a circus. Three sleeping cars, three baggage cars and a leased driver will complete the outfit. Entire company will live aboard the train when the smaller stands are played. That will be a break for the players and ensemble since "Boys" management is required to play the sleeper cot.

There will be several new acts engaged other than those seen in the original lineup, and there will be a replacement for Jane Pickens, one of the featured players.

Labor Day opening date is Hersey, Pa., a week of one nighters following a week stand at Washington. Longest dates for the show will be Los Angeles and San Francisco, "Boys" playing two weeks in each spot.

Fred Zwieta, who booked the route, will again be in charge with Al Spink and Charles Brazg ahead.

"BELINDA" 2-FOR-1 STUNT GOES HAYWIRE, FOLDS

An experiment in cut-rating, tried for "Johnny Belinda," which closed at the Longacre, N. Y., last week, went haywire in the hands of the featured players. As advertised in a tabloid that the accompanying cutting of tickets at half price, the price of one at the boxoffice. Result was that patrons who bought two tickets at the boxoffice demanded the same price and \$3,500 had to be refunded.

Anyone who did not have the coupon to produce one to get the half rate, so he went out, bought the paper for \$2 an hour for the first night, getting the tickets at the price advertised. Management had distributed 100 tickets at half price, spots, which were also honored while other patrons paid the full rate of \$20 a seat for the first night. Grosses but around \$3,000. "Belinda" managed to open the season in moderate grosses but because of preliminary expenses and later promotional stunts it ended with a loss.

Several months ago, show printed drug store fountain specialties on eight-page cuttings. The cuttings of the play following the stores' copy. Paper was pasted in the window of the store for a week and was for free. Last week the Shuberts received a bill for \$250 for the printing and the store refused to order the stunt. They operate the Longacre.

New 'H' Wood Revue

Hollywood, June 24.
New musical revue, "Fun for the Money" is slated to open at the Hollywood Theatre in June. It is being produced by George Shafar, operator of the theatre. Robert Gordon, recently arrived from New York, is doing the casting.

Muric for the play is by Norman Brown and book by Charles Forman.

TA QUIZZED BY TAX EXEMPT. EXEMPTION

Theatre Authority will amplify its contents of the new anti-trust legislation by the Internal Revenue Service. The new law, which is effective July 1, will require that all organizations which are exempt from federal income tax must file a statement with the Treasury Department, and that the statement be audited by the Internal Revenue Service.

TA collects 15% from benefit performances. Audiences tickets to be taken for tax free, and the money to theatrical charities. Tax officials have ruled, however, that the money collected goes for TA expenses, its receipts are taxable.

Such a ruling was made during the drive for the Greek War Fund last spring, and as all tickets were already printed, the ruling could not be passed on to those who attended the numerous benefit shows. Amount paid by the Greek War Relief Association was over \$100,000 and if a reversal of the ruling is obtained, the Government would refund that tax.

TA contends, too, that it is an aide to the Government in that by supervision of benefits money affairs which formerly secured exemptions on tickets have been eliminated.

Operation of 2 B'way Theatres of Boris Said Is Still Undetermined

It hasn't been decided yet whether the estate of the late Boris Said will continue operation of the St. James theatre, N. Y., and the 40th Street, which the colorful Russian oil expert leased from the late actor. Said's widow and Col. James H. Hayes, a Standard Oil Co. legal expert, are co-executors of the estate. It's understood the executors are considering the proposal of handling the properties with Saul Rosenberg, present house manager, and William Goldkorn, the treasurer, as representatives. Said's widow and Col. Hayes and it's figured they could book attractions of producers who previously shied away from terms exacted by the late exec.

Lease on the St. James will expire in August, 1942. The terms of the same period remains on the 40th Street lease.

Chin 'Arsenic' in No Danger on Payoff Despite Grand Theatre's Money Jam

Chicago, June 24.
Local "Arsenic and Old Lace" company has been caused in a dire predicament of the financial jam caused by the insolvency of Sam Gerzon, who has been a co-executor of the estate. Although business with Gerzon is dropping, the show is still turning a profit, and the company's commitments are not made with John Reilly, representing the estate of Hamilton, which owns the theatre property, "Arsenic" may move. Between theatre is available after the estate.

Gerzon, seriously ill, his general situation upon the Shuberts' stock now being handled by Abe Cohen. Gerzon operated the Grand for the past two years, that being revealed when he filed a voluntary bankruptcy petition, with debts amounting to \$105,000. Previously, the Shuberts had the Grand after George M. Cohan let it go.

John Reilly, who is "Lined with Blackstone" during the run of "Lined with Father," was appointed receiver of the estate.

No Further Reactions to Walkout in Equity; Frank Gilmore Seen Taking Hand in Anti-Red Move

Up to early this week there were no further reactions to the aftermath of the dissent in the union when 10 members of the council, including two vice-presidents, resigned in protest. Following the election results that placed three independent candidates in that body, it's explained that number of new v.p.s was approved principally because it was felt that all the new members on the council should have a chance to participate. It's likely that the officers to be named will be chosen from the council rather than the body of the membership since councilors could, it's held, more easily dissent.

TA QUIZZED BY TAX EXEMPT. EXEMPTION

San Francisco, June 24.
Israel Slavin, who recently accepted the Blackstone in Chicago, has made a deal with Henry Duff, who is president of the Coast. Slavin will send him at least three road-show attractions annually. Slavin will be "No Coward" The Marquis with Billie Burke topping the cast, which opens in Chicago in September.

Miss Burke currently is touring for Duff in "The Vinegar Tree," which played five weeks at the Alcazar here and now is at El Capitan, Hollywood.

Chicago bookings are another step forward in Duff's comeback, at a time when popular-priced stage fare was considered a thing of the past on the Coast. Top producer in the hey-day of stock in the west, Duff recently opened the long-dormant Alcazar here with name-casts at \$125 top and is doing so well that he has no room on El Capitan, and with the Blackstone now a third stop.

The Duff theory of giving first-class seating and treatment despite the fact that the average price paid at the Alcazar is 84c nights and 62c matinee is proving a sound bet. The carriage and pop price trade giving him good play. It's one of the things that the mid-and-popular theatres instead couldn't be done, but Duff is doing it.

A. C. Theatre Reopens

Atlantic City, June 24.
Garden Park theatre, newly air-cooled, will open Monday (30) with "George Washington Slept Here" first of the Broadway touring shows to be given during season.

A. C. Nugent and Cora Witherspoon playing leading roles.

Another named by the council last week, Douglas Gilbert, also evaded the assignment. Gilbert is appearing in the situation indirectly, Massey, next in line in the council voting for the replacements, was named by the council and accepted from the Coast. Evelyn Wilson, next in order, was then advised by the council to accept the job and along with Ben Smith, asserted. The others named to the council were: Fred Ross, Joseph P. Donald Randolph, Jose Ferrer and Alexander Clark.

Equity may have subsided but for the abrupt withdrawal. Some fellow members figured the resignees were badly advised or acted without deliberating whether such action substantiated their statements. It was widely believed the council was, or will be, dominated by communists or red sympathizers. There were among the resignees at least two who walked out and their supporters as against that of the resignees. They go not dominate," Paul Dulziet; Equity's executive committee, the latter contends that unless the Lambertson charges are proven, there should be no action.

Philip Loeb, appearing in Chicago with "My Sister Eileen," who was among the resignees but vigorously denied his alleged radicalism as charged by Congressman Lambertson. He is expected to return to New York to attend the council session last week when eight replacements were named. "There goes the ball game," because of Loeb's dramatic way of expressing himself at times. Session was reported without undue fireworks.

Loeb never made the trip, partly due to foggy conditions which surrounded the plane. He flew to Chicago airport, and Bob Milford, company manager of Eileen, declined to assume the role of Eileen in Chicago. Actor reached the show's theatre, intended to give a long absence several hours after the council Monday (18) but could not get his trunk. He is expected to be persistent that charges against him being a Communist be investigated.

Era Stone last week made a "belated" trip to Atlantic City and stated his purpose in supporting the independents was to gain a foothold in the union to assure AFTRA control of television.

"As I am a life member of Equity, I am not going to give up my life purpose now and always is to strengthen and uphold it against all odds," he stated. Stone's name was mentioned in the press by Paul Stewart's in the "Variety" report of the "factious" of several Equity members in a letter to the council and the independents, detailed in the June 11 issue.

Boos' Statement

St. Louis, June 24.
Robert Ross, in refusing the council nomination to the union, said he has no control of the association and by accepting he would be taking the union to court.

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Berlin's Show Biz Blackout

(Continued from page 1)

to most of them. He's equally disdainful of Nazi red tape, although, like other Germans, must suffer in silence, Barbetle said.

Barbetle is pessimistic about the Scala show now, the American performer declared, is that the sky's the limit on expense. The 3,000-seat house is doing tremendous business and, assuming as expected after a certain peak, go 100% to the government, Duisberg shoots the works producing a profit which runs two months. Presentations are about 2 1/2 hours long and are given at 2:50 and 5:00 p. m., every day.

Yards for the Burgers

Three days a week, in addition, a morning show is given for the Street and other groups, consisting mostly of the poorer classes. Duisberg is forced by the government to provide a certain number of seats at a low price for the "S. Through," J. and has compromised by selling on the air performance to avoid interfering with his regular audiences.

He staged the Scala show for March and April. It was tabbed "Circus Revue" and had 160 performances. Previous to that, he staged two numbers, was "Crazy Show." Both consisted entirely of music acts, the former performer being comedian Carl Knapp. "Strength Through Joy" (Kraft durch Freude) was staged incidentally, has provided work for hundreds of vaudeville people who previously had lost their jobs.

Strongly organizations send out vaudeville troupes, which are called "Wehrmacht Tournees" (Home Defense Troupes) through Germany and occupied territories. These are designed primarily to entertain Reich troops guarding the various fronts, but civilians are attracted. However, Barbetle declared, regardless of the atrocious quality of the entertainment, not a single respecting national of any of the occupied territories would think of going to see a German show. He has had tours, who used to be lucky to get 20 marks a day, are now earning 80 marks.

Boogieing 'T, S. Jan

"One of the difficulties of permanent censorship," he explained, "is the government's ban on American music. That's not quite hardship if you consider that since orchestra leaders are showing themselves extremely clever in giving the switch to popular American tunes so that the strains of 'Begin the Beguine' and others are clearly heard, yet the censorious Department's music experts would have an impossible time proving it was American. Every time an orchestra leader hears the plagiarized American songs originally is one of those who pretends to be a patriot in Germany abroad. American records are still obtainable in Italy and it is possible that they have been tuned there."

Another thing which Barbetle has found explainable is the way the Nazis officials—despite what he called "morally-winked at nudity in films. Every time he has been asked, he said, has winked performers.

No Limit on Boose Allowance

Duisberg is likewise annoyed by the authorities and everyone with a permit enables heavily of various makeshift German distillates. One reason for this is that drinking and the appetite, which no one can get enough food. Barbetle explained, and the second is possible that no ration card is needed for liquor.

As a result of the widespread sale of saltery liquors, he said, he has had a number of promoters. Proprietors, however, like Willy Scheerer at the famed Cabaret Schiller, are being treated with delicacy with their shows because, like the theatres, they also had depended on foreign tourists for their income.

About 150 legaters and two opera houses are likewise prospering, although late-subsidized, and are engaged, plays of Shakespeare and Oscar Wilde are not outlawed and the water attracted heavy patronage.

State Opera House Blasted

One of the opera houses, the Staats Opera, has been closed down since by a direct hit by a bomb. Barbetle declared, Miesler dropped by American planes, missed the opera house by only seven meters, and the American wader asserted, the spinners and the debris killed the opera house girls and a member of the orch. Although there were long stretches without bombing, Barbetle said, he

eggs were dropped sufficiently often to make it very uncomfortable.

"The German Government is extremely unhappy about the Nazi regime," he declared, but any idea that it is a popular regime is altogether wishful-thinking. Muchness of the Nazis with techniques of the power-over-governments (re-tele) system never permits anything like a revolution to get started.

Barbetle said he has been arrested with and known for 15 or 18 years was I able to get any idea at all now they feel about Hitler, Barbetle said.

Goering's Quiz

There was much resentment in Berlin, Barbetle declared, when Hermann Goering acquired a suburban home which cost him a new cost millions of marks. A story, therefore, was officially announced that Goering had bought the house really cost only 50,000 marks. Next morning Goering's newspaper published the article had painted on his wall: "Hermann, where did you get the 4,000,000?"

That was removed and Goering offered 5000 marks for the picture. Goering, he said, where did you get the 5,000 marks?"

He averred, "Everyone is frightened to death to open his mouth, and with good reason. If you should say anything, you are liable to be arrested and he doesn't report it to authorities within 24 hours, he is equally guilty."

Liquidated German Showmen

"People are constantly being pulled out of their homes without explanation and disappear sometimes forever. Among them was Otto Seitzler, the orchestra leader at the Scala, who was arrested last week. He is a city man, no a producer, but the one who was in concentration camps for 18 months. He was arrested in the Winter Garden, was in prison and was killed on his way to the day his wife committed suicide."

There are other cases, he said, that constant feeling of hunger, Barbetle said, but everyone gets enough to eat. Some two days, permit only 500 grams of meat a week, which was described as "one good piece chop." There were no eggs, no milk, no coffee and no soap, he said.

You can have all the fish you want, he declared, but the price is high, that has a catch. You must give the margarine or butter for each fish card, and you must order to have something to fry the fish in and you very infrequently get a little margarine, some for such a purpose."

However, he added, for those with money who know where to go, food bootleggers are prevalent. There was a little theatrical grip near the opera house, he said, where he always had a roast or ham on hand and was willing to part with it for a few marks. He had a picture card. It was definitely not the thing to question or even wonder at where the bootleg cards, issued to bootleggers, said. Even English cigarettes (players) were available from bootleggers.

Nazi Film B.O. Bad

Business in Berlin's film theatres, he asserted, was not good because of the things that surprised him was a film titled "Mutter Liebe" (Mother Love) by the Scala, which was Venice as the best picture of the year. His plot, Barbetle said, was that a young girl, let's call her name as 20th-Fox's "In Old Chicago, which he had seen in America.

Another curious thing was that a friend of his, a film cutter for UFA, told him that he had seen a special showing of "Gene With the Wind" to see how good a picture can be made by the UFA technical staff. Where the print was obtained was another mystery.

On the other hand, another Selznick picture, "Rebecca," was playing at the Scala. Barbetle was, in May, after he left Germany. Crowds were drawn up by the Palmist House for the Chi Empire Room for this coming winter season. Williams and opera there.

declared, despite the fact that admission was 20 lire as against two for other houses. "The Scala was billed to follow. 'Quintessence Heights' had been at the Quirinale Palace before. On the poster, producer Sam Goldwyn's name was covered with strips of white paper. The motion picture was an extremely business, Barbetle said, was Universal's "Baby Sindy," although it was a popular picture. It gave Miesler Auer all the billing. Auer is top comic with Italian film and the returned vaude performer declared.

In the Rome legiers, he said, "Auer" was playing MacArthur, the play-writing newspaperman, now in from Chicago via the United Air Lines, celebrating his 30th birthday. Auer's first plane ride on Friday (20). The clergyman taxied into town to pose with his Charlie and Helen eyes, whom he calls daughter-in-law.

Leland Hayward in '40 set Friday's FTWAtliner from L. A. dropped Leland Hayward at La Guardia, but he commuted right back to the United States and the cameras the next night by the same type of high-flying machine.

He added: "Aed to Columbus, Ohio, in the two hours of Saturday (21) and the same day. Most of the directors and the mark artists recordings for Columbia, leave by the same line for the Coast through the plane." He mentioned Stokowski and the All-American Youth Orchestra, Lotie Lehmann, and the opera, Rise Sims and James Eddy.

The "Inbound Quiz" Wednesday (18) brought Jimmy Mirov, Selenchenny, N. Y., gift to the N. Y. Herald Tribune and the Herald Tribune in London, in the Battle of Britain. The war correspondent, who lost his right eye in the battle, was in London, in the Battle of Britain. The war correspondent, who lost his right eye in the battle, was in London, in the Battle of Britain.

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Another 'war show' now in the States is the Nazi Messerschmitt airplane film sent over by the British, which is currently on exhibit at Warners' Hollywood theatre, on Broadway. It features a number of including Madames Mervyn LeRoy, Milton Bren and Ernst Lubitsch is responsible for the theatre appearance sans rental.

Camps. Okay

Count, Chiko Marx did three days at Fort Still, Okla. last week and Phil Regan did four days at Fort Belvoir, Okla. last week.

Fifth of the entertainment-unbeats unit set off today (Wednesday) for the Fort Belvoir, Okla., headed by Stubby Kay, m.c., and includes Don Cummings, comic; Laura Keane, soprano; Gloria Grafton, swing singer; Seymour and Picture, tenors; and Migdie Fellow, co-singer. The unit is headed by Maurice Golden is company manager and Jerry Livingston orch leader.

The kitchen's dishes drinks and appetizers are being made for two additional units of a total of seven, their formation is being held in until the Army cadets arrive. The Troops being called out for field maneuvers is causing difficulties in booking.

House Revels

(Continued from page 41)

and whirled are seemingly endless, ranging from the "Garden of Eden" number group featuring spins on one leg in lively tempo. Sidney Hillman, who is the "Garden of Eden" okay with his argentine banjo and "Waltz of the Whirlwind" okay act and burlesque acrobatics went over in a big way at this catch-up.

A laugh getter was when Cantor went over to the Palace. He and composer, also of his radio show, "The House of the Future," played the eye glasses, placing a cigaret in his mouth and lighting it for him. Cantor said: "The House of the Future" do all this now.

Williams' band played for dancing in Berlin ballroom.

Jimmy Roosevelt Clippers In

(Continued from page 3)

Airport restaurants Saturday (21) at a luncheon commemorating the institution of a four-hour sea-to-dinner table service of fresh lobsters. Flying to the Air Express lanes from Maine, the lobsters will be a daily feature at both the airport eateries and Manhattan's Hotel New Yorker.

The Rev. William MacArthur, the Rev. Charles MacArthur, the play-writing newspaperman, now in from Chicago via the United Air Lines, celebrating his 30th birthday. Auer's first plane ride on Friday (20). The clergyman taxied into town to pose with his Charlie and Helen eyes, whom he calls daughter-in-law.

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The same day: A cub cracked Jaroslav Andriek, the Czech journalist, to the land, that has no right to Munich, on his way to Montreal, where he'll write for a rag printed in his native country.

The outboard Yankee Cupper, headed for Lisbon, Portugal, carried 100 tons of munitions for the design and a colonial minister and several other diplomats, Pan-American to the land, that has no right to Munich, on his way to Montreal, where he'll write for a rag printed in his native country.

Net was pulled away off first base when five fans and photographers took a group of 100 school children, visiting the Marine Terminal, that was the first of the ball players, and the kids mopped the space-ster for an autograph. The net was pulled away off first base when five fans and photographers took a group of 100 school children, visiting the Marine Terminal, that was the first of the ball players, and the kids mopped the space-ster for an autograph.

Major Rodgers in from L. A. Major Pickford's Buddy Rogers pulled in from Los Angeles on an American Airline clipper from Los Angeles by telegram from his First Lady. Another Wednesday (18) was the arrival of the "Garden of Eden" Bob Hope, Mr. Hope, Mr. and Mrs. Dave Butler and a host of other stars, including the "Garden of Eden" number group featuring spins on one leg in lively tempo.

The week also saw a squadron of jowels from the Broadway and the Palace. The "Garden of Eden" number group featuring spins on one leg in lively tempo. Sidney Hillman, who is the "Garden of Eden" okay with his argentine banjo and "Waltz of the Whirlwind" okay act and burlesque acrobatics went over in a big way at this catch-up.

Williams' band played for dancing in Berlin ballroom.

Griff Williams, for years standard orchestra in Continental Room of the Stevens hotel, Chicago, has been engaged by the Palmist House for the Chi Empire Room for this coming winter season. Williams and opera there.

Mrs. Fairbanks

(Continued from page 5)

first quarter. They are Lydia (Korda), "Sundown" (Wanger), "International Lady" (Small), "Major Barbara" (Graham), "Shanghai Gesture" (Fressburg), "New Wine" (Seakely) and "Three Cockeyed Sallors" (named in England by Michael Balcon). Both wives will be "Visages Fairy and Tanks a Million."

Kelly also disclosed to the actress UFA's deal with Ealing Studios, England, by which Balcon will turn out three additional pic this season. He also mentioned the excellent mention of the Selznick-Capra negotiations, as papers have not yet been made.

Sales huddle was attended by staff of six eastern exchanges, New York, Philadelphia, Boston, Chicago, New Haven, Buffalo and Boston. Capt. James Roosevelt, who had returned from the military from a military mission abroad, put in a surprise appearance at Monday's session. He gave the wives a brief record account of his foreign experiences. His attendance at the conference was the first since he had not to be construed as evidence that he will shortly be back in film production.

\$400,000 Fairbanks Deal

Hollywood, June 24.

The way word is going is that a closing of the deal by which David O. Selznick and Frank Capra would buy the rights to the film "The Artist" when Douglas Fairbanks' widow, the former Lady Sylvia Ashcroft, withdrew her share of the Fairbanks shares to U. A. Isaac Fichtel, attorney for Mrs. Fairbanks, has been announced.

(Monday) to enter a stipulation withdrawing the objection, where Mrs. Fairbanks' share was 10% of the sale at \$100 a share plus the 4,000 shares of UFA stock held by the Fairbanks family.

Mrs. Fairbanks had squawked about the \$400,000 offer as insufficient. Her attorney, Irving H. Zaffe, of New York, were talking figures of around \$1,000,000 last week. Mrs. Fairbanks' share was 10% of the sale at \$100 a share plus the 4,000 shares of UFA stock held by the Fairbanks family.

Selznick and Capra will get one unit in UFA to be paid for from earnings of the stock, similar to the plan by which Alexander Korda got his block and is now paying it off.

Morris Memorial

(Continued from page 1)

the Morris Memorial Park heathcroft recall an axiom that the showman's motto is "I will do it or I will die." "I'm another to all mankind."

The program opened with an invocation by the Rev. Joseph Ball, followed by an address by Edwin W. Walker, the Rev. C. C. Conley and the Rev. J. J. Conley.

The younger Bill Murray thanked the villagers for honoring his father's memory, recalling his father's life and the various organizations of all faiths. Attending were R. H. Burnside, representing the Catholic League, and the Rev. J. J. Conley, representing the Catholic Artists Guild, and Dave Ferguson, representing the Jewish Theatre Guild.

Dr. Henry Letsch, acting mayor of Saranac Lake, The Hon. George L. Easton, member of the Canadian parliament, delivered the principal dedicatory address.

Wires and cables from all over the world to William Morris, Jr., were read by the Rev. J. J. Conley, Harry Lauer, from Strathaven, Scotland, who recalled your father's life and the various organizations of all faiths. Attending were R. H. Burnside, representing the Catholic League, and the Rev. J. J. Conley, representing the Catholic Artists Guild, and Dave Ferguson, representing the Jewish Theatre Guild.

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And In Hotels Too!

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